

Agenda
Regular Work Session of the Mayor and Council
City of Chattahoochee Hills, Georgia
April 1, 2021 / 6:00 p.m.

*Visit www.chatthillsga.us for information on accessing the meeting via
teleconference or videoconference.*

Click [HERE](#) for Zoom link
ID: 831 4427 4318
Code: 556927
Dial in: 646-558-8656

Discussion Items

1. Council Meeting Agenda Review
2. 2021 TSPLOST projects/RFP
3. Foxhall Resort annexation process
4. Revision to Chapter 20, Parks and Recreation, regarding the removal of relics and other items.
5. Rico Lake gate application
6. Parking Fees
7. Homestead Exemption
8. No Truck Routes
9. "Chattahoochee Hills" Mailbox signs/plaques
10. ATVs on public roads

Mayor and Council Comments and Updates

EXHIBIT A
Fulton County Transportation Sales Tax
Projects and Purposes for Each Jurisdiction

Jurisdiction	Purpose/Projects	Project Number	Project-Level Costs	SPLOST Purpose Cost	Priority Tier
	TIER 1 PURPOSES/PROJECTS				
Unincorporated Fulton County	Maintenance and Safety Enhancements			\$2,082,377	1
	Rivertown Road	CH-101	\$415,410		1
	Hutcheson Ferry Road	CH-102	\$543,229		1
	Rico Road	CH-103	\$436,713		1
	Cochran Mill Road	CH-104	\$207,705		1
	Wilkerson Mill Road	CH-105	\$479,319		1
Unincorporated Fulton County	Quick Response Projects			\$45,024	1
	To Be Determined	CH-106	\$45,024		1
Unincorporated Fulton County	Project Management			\$112,561	1
Unincorporated Fulton County	Countywide Oversight			\$11,256	1
	TIER 1 TOTAL PURPOSE COSTS			\$2,251,218	
	TIER 2 PURPOSES/PROJECTS				
Unincorporated Fulton County	Maintenance and Safety Enhancements			\$367,478	2
	Cochran Mill Road	CH-201	\$367,478		2
Unincorporated Fulton County	Quick Response Projects			\$7,945	2
	To Be Determined	CH-202	\$7,945		2
Unincorporated Fulton County	Project Management			\$19,864	2
Unincorporated Fulton County	Countywide Oversight			\$1,986	2
	TIER 2 TOTAL PURPOSE COSTS			\$397,274	
	TIER 3 PURPOSES/PROJECTS				
Unincorporated Fulton County	Maintenance and Safety Enhancements			\$367,478	3
	Rico Road	CH-301	\$146,049		3
	Campbellton Redwine Road	CH-302	\$221,429		3
Unincorporated Fulton County	Quick Response Projects			\$7,945	3
	To Be Determined	Ch-303	\$7,945		3
Unincorporated Fulton County	Project Management			\$19,864	3
Unincorporated Fulton County	Countywide Oversight			\$1,986	3
	TIER 3 TOTAL PURPOSE COSTS			\$397,274	
TOTAL Unincorporated Fulton County COSTS - ALL PURPOSES FOR TIERS 1-3				\$3,045,766	

**2020 Year End Report – Chattahoochee Hills
Transportation Special Purpose Local Option Sales Tax (TSPLOST)**

Chattahoochee Hills, an incorporated municipality in Fulton County, provides transportation services within the incorporated limits of Chattahoochee Hills. Pursuant to Senate Bill 369, Section 48-8-269-6 the following chart represents the 2020 annual non-technical report on financial status of each Tier 1 purpose/program. This report represents the period from January 1, 2020 through December 9, 2020. For additional questions please contact Robbie Rokovitz, City Manager, at 770-463-6565.

Tier 1 Purpose/Programs	Original Estimated Cost	Current Estimated Cost	Amount Expended in Prior Years	Amount Contracted in 2020	Amount expended in 2020
Maintenance and Safety Enhancements	\$2,082,377	\$2,232,351	\$1,953,426	\$0	\$0
Quick Response Projects	\$45,024	\$45,024	\$0	\$0	\$0
Project Management	\$112,561	\$111,618	\$105,751	\$0	\$0
Countywide Oversight	\$11,256	\$11,256	\$0	\$0	\$0
Tier 1 Total Costs	\$2,251,218	\$2,400,249	\$2,059,177	\$0	\$0

Maintenance & Safety Enhancements – \$0.00
2020 Contracted Roadway Resurfacing
<ul style="list-style-type: none"> No resurfacing was contracted in order to accumulate funds for a 2021 project

The below table illustrates the funding sources for TSPLOST projects:

Fund Allocation	TSPLOST Fund	General Fund	Total Amount Expended 2016-2020	Amount Contracted in 2020	Amount expended in 2020
Maintenance and Safety Enhancements	\$1,113,951	\$839,474	\$1,953,426	\$0	\$0
Project Management	\$52,940	\$52,811	\$105,751	\$0	\$0
Tier 1 Total Costs	\$1,166,891	\$892,286	\$2,059,177	\$0	\$0

COUNTYWIDE 10% TRANSIT BUCKET SCENARIO

				TSPLOST 2022-2027 Projections			TSPLOST 2017-2022
				0% Transit Option	10% Transit Option		Expected Collections
5 Year TSPLOST Program Collection Estimate :				\$525,000,000	\$525,000,000		\$499,759,979
Countywide Transit Bucket				\$0.00	\$52,500,000		n/a
Amount Remaining for City Projects:				\$525,000,000	\$472,500,000		\$499,759,979
City Name	2019 GMA Population	% Population					
Alpharetta	67,213	11.3%	\$59,307,781	\$53,377,003		\$55,074,226	
Chattahoochee Hills	3,318	0.6%	\$2,927,755	\$2,634,980		\$2,348,768	
College Park	15,159	2.5%	\$13,376,083	\$12,038,475		\$11,443,743	
East Point	34,875	5.9%	\$30,773,197	\$27,695,877		\$30,635,588	
Fairburn	16,768	2.8%	\$14,795,841	\$13,316,257		\$12,094,277	
Hapeville	6,534	1.1%	\$5,765,507	\$5,188,957		\$5,745,232	
Johns Creek	84,579	14.2%	\$74,631,289	\$67,168,160		\$72,016,168	
Milton	39,587	6.7%	\$34,930,997	\$31,437,898		\$32,434,747	
Mountain Park	568	0.1%	\$501,195	\$451,076		\$499,459	
Palmetto	4,851	0.8%	\$4,280,452	\$3,852,407		\$3,798,117	
Roswell	94,763	15.9%	\$83,617,504	\$75,255,753		\$81,661,657	
Sandy Springs	109,452	18.4%	\$96,578,865	\$86,920,979		\$91,057,245	
South Fulton	94,912	16.0%	\$83,748,979	\$75,374,081		\$82,961,032	
Union City	22,399	3.8%	\$19,764,554	\$17,788,099		\$17,989,721	
	Total	594,978	100%				
Total City Program Budget				\$525,000,000	\$472,500,000		\$499,759,979

Foxhall Resort Narrative Description

Foxhall Resort is a mixed-use master planned development containing 1092.15 acres and currently located in unincorporated Douglas County, Georgia. Enclosed with the application is the master plan adopted by Douglas County which details the vision for the resort, including a conceptual phasing plan. The proposal is to annex the entire 1092.15 acre property into the City of Chattahoochee Hills, Georgia. The existing City of Chattahoochee Hills zoning ordinance does not include a zoning classification consistent with the current Douglas County entitlements for the project so a new Hamlet Special District (HM-SD4 Foxhall Special District) is proposed to be created. Similarly, there are several approvals requested of the City of Chattahoochee Hills to seamlessly transfer the existing entitlements to accommodate the scope of development already allowed in Douglas County. Approval of all of the requests is necessary to implement the project. Below is a list of the requests for adoption by the City of Chattahoochee Hills:

1. Annexation from Douglas County to the City of Chattahoochee Hills.
2. Creation of a new HM-SD district (HM-SD4 Foxhall Special District).
3. Rezoning of the 1,092.15 acres to HM-SD4.
4. Four text amendments:
 - a. Amend Section 35-461 to increase maximum acreage for an HM-SD from 250 acres to 1,100 acres;
 - b. Insert “resort,” “resort accommodations” and “special event facility” into the Chattahoochee Hills ordinance:
 - i. Define “resort” in Section 35-71 as follows: “*Resort* means a planned development of at least 1,000 acres that encompasses active and passive recreational activities, housing, and other nonresidential land uses. To be defined as a resort the following active and passive activities must be offered on site: (i) fishing; (ii) kayaking; (iii) canoeing; (iv) tennis; (vi) swimming; and (vii) horseback riding.”
 - ii. Define “resort accommodations” in Section 35-750 as follows: “*Resort accommodations* means a building or portion thereof in a resort that is designed or used for residential or lodging uses and that is part of a rental management program operated by the resort entity and where the occupants are entitled to access to all or a portion of the active and passive recreational activities offered at the resort. Resort entity as used herein shall mean the entity that owns and manages the active and passive recreational activities at the resort. Resort accommodations may be individually owned and their occupancy may be of any duration. Resort accommodation shall be categorized as a nonresidential use.”
 - iii. Define “special event facility” in Section 35-750 to allow festivals and events on the property.
 - iv. Amend Table 35-595 to allow resort accommodations as a permitted use and special event facility as a special use in HM districts. [Note, this must be adopted before the HM-SD4 district due to the language in subsection 5(a)(i)].
 - v. Amend Division 4 to create supplemental standards for resort accommodations as follows:

1. Occupancy shall be limited to no more than two guests per bedroom.
 2. The city noise ordinance shall be posted in the unit and included as a part of the rental contract.
 3. One on-site parking space shall be provided for every two bedrooms. Off-site parking spaces within a quarter mile that are available for use of the rental unit may be used to fulfill this requirement.
- c. Amend Section 35-264(i) to eliminate conservation easement requirement component of open space; and
- d. Revise Section 22-11 of the sign ordinance to allow approval of a comprehensive sign plan by City Council that expands allowable signage.
5. Nine special administrative permits, including a waiver of the three year expiration in Section 35.113(e), to allow the following uses:
 - a. Agriculture-related uses.
 - b. Roadside stands.
 - c. Broadcasting and telecommunications buildings.
 - d. Data processing services.
 - e. Medical laboratories.
 - f. Assisted living facilities.
 - g. Personal care homes.
 - h. Temporary structures not to exceed 1,500 square feet or for a duration of more than six months.
 - i. Temporary use, commercial or retail.
6. Eleven special use permits, including a waiver of the three year expiration in Section 35.113(e), to allow the following uses:
 - a. Special event facility.
 - i. No other permits or fees shall be required for festivals or events that are accessory to a permitted use such as corporate events or weddings held at a hotel.
 - ii. No other permits or fees shall be required for festivals or events that meet the following criteria:
 1. Fewer than 5,000 people.
 2. Any temporary stage(s) do not exceed 1,500 SF.
 3. Any tents exceeding 600 SF shall have fire retardant certificates from the manufacturer or be installed by a vendor approved by the City of Chattahoochee Hills.
 4. The location of the festival or event is in an area pre-approved by the City of Chattahoochee Hills.
 - iii. For festivals or events over 1,000 people, an emergency response plan shall be provided in advance to the City of Chattahoochee Hills confirming the following:
 1. Description of the festival or event;
 2. Duration of the festival or event;
 3. A contact person for the festival or event, including email and phone number;

4. Details on any tents or stages proposed;
 5. Details on how security will be handled; and
 6. Details on how first aid/emergency response services will be accommodated.
- b. Pet care services.
 - c. Amusement and theme parks with uses limited to golf driving ranges and miniature golf.
 - d. Motion picture theaters.
 - e. Communications towers.
 - f. Gasoline and fueling stations (no repairs).
 - g. Motor vehicle or recreational vehicle rental.
 - h. Automotive repair and maintenance (glass replacement, oil change and lubrication shops only).
 - i. Cemeteries, mausoleums, colabariums.
 - j. Utility substations.
 - k. Support activity for air transportation (helipad).
7. Five variances:
 - a. A variance from Table 35-272 to reduce the required minimum district buffer from 150' to 50' and reduce the average minimum district buffer from 300' to 200' respectively.
 - b. A variance from Section 35-406 to exempt M-R zone from night sky requirements.
 - c. A variance from Section 35-406 to permit the continued installation of the following lights by GreyStone Power Corporation (or similar): (i) LED Post Top lights for streetlights and (ii) LED Large Area lights in parking areas.
 - d. A variance from Section 22-27 pursuant to Section 22-15 to allow three freestanding signs or signs affixed to entrance monuments on Capps Ferry Road provided each sign shall not exceed 71 square feet in sign area.
 - e. A variance from Section 26-113(e) to allow gating within the HM-SD4 district.
 8. Three miscellaneous approvals:
 - a. The ordinance annexing the property shall include language regarding vesting such as the following: "In addition to the vesting provided in section 35-159, development allowed on the 1092.15 acres zoned to the HM-SD4 district shall be vested upon submittal for the first land disturbance permit with respect to the requirements of this code of ordinances in effect as of the date of submittal."
 - b. The ordinance annexing the property shall also include language confirming no impact fees shall be required for development.
 - c. The ordinance annexing the property shall confirm that (a) except as required to comply with the Notice of Decision from GRTA for DRI 1839, dated November 10, 2008, there will be no requirements for curb and gutter, acceleration and deceleration lanes or sidewalks; (b) perpendicular and parallel on street parking will be allowed; (c) wooden bridges, pavers, roundabouts, traffic calming devices, and landscaping may be in the rights-of-way; and (d) roundabout or traffic signal may be installed at the main entrance on Capps Ferry Road.

AN ORDINANCE TO AMEND AND REVISE CHAPTER 20, ARTICLE II CITY OF CHATTAHOOCHEE HILLS PARKS AND RECREATION ORDINANCE TO ADD A PROVISION GOVERNING THE REMOVAL OF RELICS AND OTHER ITEMS FROM THE PARKS AND TO ADD A PROVISION PROHIBITING THE RIDING OF BICYCLES ON THE TRAILS AT CERTAIN TIMES, AND FOR OTHER PURPOSES

WHEREAS, the City has learned that people have removed relics, artifacts, old shell casings, arrowheads, and other items from the parks;

WHEREAS, the City Council wants to preserve the parks, including those relics, artifacts, vegetation, etc. for all to enjoy and for future generations.

NOW, THEREFORE BE IT SO RESOLVED by the Mayor and Council of the City of Chattahoochee Hills as follows:

Section 1: Article II (*City Park Regulations*) is amended by adding Section 20-25 with the following language:

It shall be unlawful for any person to deface, harm or damage any park buildings, wildlife, property, equipment or signs located in any park owned by the City of Chattahoochee Hills. It shall be unlawful for any person to dig up, cut, damage or remove any trees, tree limbs, shrubbery, flowers and other vegetation, rocks, mulch, historical artifacts, shell casings or bullets, arrowheads, or other items of previous occupants of the land that now comprise the parks without first obtaining a permit issued by the City of Chattahoochee Hills.

Section 2: Article II (*City Park Regulations*) is amended by adding Section 20-26 with the following language:

- (a) It shall be unlawful for any person to ride a bicycle or horse on the trails of the parks when any sign posted by the city at the entrance to the park states that the trails are closed. No person shall be subject to a fine or other penalty under this ordinance unless such person gained entrance to the park by traveling past such sign stating the trails are closed.
- (b) It shall be unlawful for any person to ride a bicycle or horse on the trails of the parks when the trails are wet and muddy to the extent there is standing water in puddles on the trails. No person shall be subject to a fine or other penalty under this ordinance unless such person shall have received a written warning of a previous violation of this ordinance within the previous twelve months by a law enforcement officer of the city.

Section 3: The within ordinance shall become effective upon its adoption.

Section 4: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SO ORDAINED AND EFFECTIVE this the 6th day of August, 2019.

Approved:



Tom Reed, Mayor

Attest:



Dana Wicher, City Clerk
(Seal)



Park Pass

State

Parking in Georgia's State Parks is just \$5 and visitors can buy a \$50 annual Park Pass.

City

Our daily pass is \$5 and \$25 for an annual pass

Daily Park Pass

State

Purchase at kiosks inside parks, by QR code upon arrival, or in park offices.

City

We have a kiosk only at this time and fee is set at \$5.

Annual Park Pass

State

Purchase online or at park offices. Allow 7 – 10 business days for shipping*. Valid for 12 months from the date of purchase.

City

Our passes must be purchased in person at City Hall at this time. This is about to change with online payments becoming available. The payment confirmation will be their pass until their get the decal in the mail after purchasing online. We have 12 month passes on a calendar year and not prorated. However, we do start selling passes for the following year in October, November and December.

Discounts

State

Annual Park Pass discounts of 50% are available for seniors 62 and older, and 25% for active military and veterans**. Discounted passes must be purchased in person. Ask about bulk discounts for corporations and organizations.

City

We currently do not have any discounts.

Bulk Annual Park Passes

State

Purchase 10 or more Annual Park Passes and save money. These are great for corporate wellness programs and gifts. Call 770-389-7286 to purchase more than 10 passes. Bulk rates are:

10–99 Passes	\$45.00 each
100–999 Passes	\$37.50 each
1,000–9,999 Passes	\$25.00 each
10,000+ Passes	\$12.50 each

City

The City does not have bulk annual park passes available.

Park Pass Exceptions:

State

Organized school groups, diners in lodge restaurants and attendees of day-long lodge meetings are exempt. Golfer parking is included in greens fees. Large vans with a capacity of 13 to 30 passengers pay \$30 per day or may purchase an Annual Park Pass for \$75. Buses or motor coaches with a capacity of more than 30 passengers pay \$70 per day or may purchase an annual pass for \$250. However, those vehicles carrying overnight guests pay only the regular daily parking fees.

City

We currently do not have any exemptions.

Sec. 5.06. General homestead exemption.

- (a) As used in this section, the term:
- (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal purposes levied by, for, or on behalf of the City of Chattahoochee Hill Country, except for any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.
 - (2) "Homestead" means homestead as defined and qualified in code section 48-5-40 of the O.C.G.A., as amended.
- (b) Each resident of the City of Chattahoochee Hill Country is granted an exemption on that person's homestead from City of Chattahoochee Hill Country ad valorem taxes for municipal purposes in the amount of \$15,000.00 of the assessed value of that homestead. The value of that property in excess of such exempted amount shall remain subject to taxation.
- (c) A person shall not receive the homestead exemption granted by subsection (b) of this section unless the person or person's agent files an application with the governing authority of the City of Chattahoochee Hill Country, or the designee thereof, giving such information relative to receiving such exemption as will enable the governing authority of the City of Chattahoochee Hill Country, or the designee thereof, to make a determination regarding the initial and continuing eligibility of such owner for such exemption. The governing authority of the City of Chattahoochee Hill Country, or the designee thereof, shall provide application forms for this purpose.
- (d) The exemption shall be claimed and returned as provided in code section 48-5-50.1 of the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year so long as the owner occupies the residence as a homestead. After a person has filed the proper application, as provided in subsection (c) of this section, it shall not be necessary to make application thereafter for any year and the exemption shall continue to be allowed to such person. It shall be the duty of any person granted the homestead exemption under subsection (b) of this section to notify the governing authority of the City of Chattahoochee Hill Country, or the designee thereof, in the event that person for any reason becomes ineligible for that exemption.
- (e) The exemption granted by subsection (b) of this section shall not apply to or affect state ad valorem taxes, county ad valorem taxes for county purposes, or county or independent school district ad valorem taxes for educational purposes. The homestead exemption granted by subsection (b) of this section shall be in addition to and not in lieu of any other homestead exemption applicable to municipal ad valorem taxes for municipal purposes.
- (f) The exemption granted by subsection (b) of this section shall apply to all taxable years beginning on or after January 1, 2007.

Sec. 5.07. General homestead exemption for citizens age 65 or over.

- (a) As used in this section, the term:
- (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal purposes levied by, for, or on behalf of the City of Chattahoochee Hill Country except for any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.
 - (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of the O.C.G.A., as amended.
 - (3) "Senior citizen" means a person who is 65 years of age or over on or before January 1 of the year in which application for the exemption under subsection (b) of this section is made.
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- (b) Each resident of the City of Chattahoochee Hill Country who is a senior citizen is granted an exemption on that person's homestead from City of Chattahoochee Hill Country ad valorem taxes for municipal purposes in the amount of \$15,000.00 of the assessed value of that homestead. The value of that property in excess of such exempted amount shall remain subject to taxation.
 - (c) A person shall not receive the homestead exemption granted by subsection (b) of this section unless the person or person's agent files an application with the governing authority of the City of Chattahoochee Hill Country, or the designee thereof, giving the person's age and such additional information relative to receiving such exemption as will enable the governing authority of the City of Chattahoochee Hill Country, or the designee thereof, to make a determination regarding the initial and continuing eligibility of such owner for such exemption. The governing authority of the City of Chattahoochee Hill Country, or the designee thereof, shall provide application forms for this purpose.
 - (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year so long as the owner occupies the residence as a homestead. After a person has filed the proper application, as provided in subsection (c) of this section, it shall not be necessary to make application thereafter for any year and the exemption shall continue to be allowed to such person. It shall be the duty of any person granted the homestead exemption under subsection (b) of this section to notify the governing authority of the City of Chattahoochee Hill Country, or the designee thereof, in the event that person for any reason becomes ineligible for that exemption.
 - (e) The exemption granted by subsection (b) of this section shall not apply to or affect state ad valorem taxes, county ad valorem taxes for county purposes, or county or independent school district ad valorem taxes for educational purposes. The homestead exemption granted by subsection (b) of this section shall be in addition to and not in lieu of any other homestead exemption applicable to municipal ad valorem taxes for municipal purposes.
 - (f) The exemption granted by subsection (b) of this section shall apply to all taxable years beginning on or after January 1, 2007.

Sec. 5.08. Homestead exemption for citizens age 65 or over meeting certain income requirements.

- (a) As used in this section, the term:
 - (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal purposes levied by, for, or on behalf of the City of Chattahoochee Hills, including, but not limited to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.
 - (2) "Homestead" means homestead as defined and qualified in code section 48-5-40 of the O.C.G.A., as amended.
 - (3) "Income" means adjusted gross income as such term is defined in the Internal Revenue Code of 1986, as such code is defined in code section 48-1-2 of the O.C.G.A., except that for purposes of this section the term shall include only that portion of income or benefits received as retirement, survivor, or disability benefits under the federal Social Security Act or under any other public or private retirement, disability or pension system which exceeds the maximum amount which may be received by an individual and an individual's spouse under the federal Social Security Act.
 - (4) "Senior citizen" means a person who is 65 years of age or over on or before January 1 of the year in which application for the exemption under subsection (b) of this section is made.
 - (b) Each resident of the City of Chattahoochee Hills who is a senior citizen is granted an exemption on that person's homestead from City of Chattahoochee Hills ad valorem taxes for municipal purposes in the amount
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of \$20,000.00 of the assessed value of that homestead. The exemption granted by this subsection shall only be granted if that person's income, together with the income of the spouse who also occupies and resides at such homestead, does not exceed the maximum amount which may be received by an individual and an individual's spouse under the federal Social Security Act for the immediately preceding year. The value of that property in excess of such exempted amount shall remain subject to taxation.

- (c) A person shall not receive the homestead exemption granted by subsection (b) of this section unless the person or person's agent files an application with the governing authority of the City of Chattahoochee Hills, or the designee thereof, giving the person's age, income, and such additional information relative to receiving such exemption as will enable the governing authority of the City of Chattahoochee Hills, or the designee thereof, to make a determination regarding the initial and continuing eligibility of such owner for such exemption. The governing authority of the City of Chattahoochee Hills, or the designee therefore, shall provide application forms for this purpose.
- (d) The exemption shall be claimed and returned as provided in code section 48-5-50.1 of the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year so long as the owner occupies the residence as a homestead. After a person has filed the proper application, as provided in subsection (c) of this section, it shall not be necessary to make application thereafter for any year and the exemption shall continue to be allowed to such person. It shall be the duty of any person granted the homestead exemption under subsection (b) of this section to notify the governing authority of the City of the Chattahoochee Hills, or the designee thereof, in the event that person for any reason becomes ineligible for that exemption.
- (e) The exemption granted by subsection (b) of this section shall not apply to or affect state ad valorem taxes, county ad valorem taxes for county purposes, or county or independent school district ad valorem taxes for educational purposes. The homestead exemption granted by subsection (b) of this section shall be in addition to and not in lieu of any other homestead exemption applicable to municipal ad valorem taxes for municipal purposes.
- (f) The exemption granted by subsection (b) of this section shall apply to all taxable years beginning on or after January 1, 2010.

(Ord. No. 10-01-73, 1-5-2010)

Sec. 5.09. Homestead exemption for citizens age 70 or over and disabled persons meeting certain income requirements.

- (a) As used in this section, the term:
 - (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal purposes levied by, for, or on behalf of the City of Chattahoochee Hill Country, including, but not limited to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.
 - (2) "Homestead" means homestead as defined and qualified in code section 48-5-40 of the O.C.G.A., as amended.
 - (3) "Income" means adjusted gross income determined pursuant to the Internal Revenue Code of 1986, as amended, for federal income tax purposes, except that for the purposes of this section the term shall include only that portion of income or benefits received as retirement, survivor, or disability benefits under the federal Social Security Act or under any other public or private retirement, disability, or pension system which exceeds the maximum amount which may be received by an individual and an individual's spouse under the federal Social Security Act.
 - (4) "Senior citizen" means a person who is 70 years of age or over on or before January 1 of the year in which application for the exemption under subsection (b) of this section is made.

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- (b) Each resident of the City of Chattahoochee Hill Country who is a senior citizen or who is disabled is granted an exemption on that person's homestead from City of Chattahoochee Hill Country ad valorem taxes for municipal purposes for the full value of that homestead. The exemption granted by this subsection shall only be granted if that person's income, together with the income of the spouse who also occupies and resides at such homestead does not exceed the maximum amount which may be received by an individual and an individual's spouse under the federal Social Security Act for the immediately preceding year.
- (c) (1) In order to qualify for the exemption provided for in subsection (b) of this section as being disabled, the person claiming such exemption shall be required to obtain a certificate from not more than three physicians licensed to practice medicine under chapter 34 of title 43 of the O.C.G.A., as amended, certifying that in the opinion of such physician or physicians such person is mentally or physically incapacitated to the extent that such person is unable to be gainfully employed and that such incapacity is likely to be permanent. Such certificate or certificates shall constitute part of and be submitted with the application provided for in paragraph (2) of this subsection.
- (2) A person shall not receive the homestead exemption granted by subsection (b) of this section unless the person or person's agent files an application with the governing authority of the City of Chattahoochee Hill Country, or the designee thereof, giving the person's age, income, and such additional information relative to receiving such exemption as will enable the governing authority of the City of Chattahoochee Hill Country, or the designee thereof, to make a determination regarding the initial and continuing eligibility of such owner for such exemption. The governing authority of the City of Chattahoochee Hill Country, or the designee thereof, shall provide application forms for this purpose.
- (d) The exemption shall be claimed and returned as provided in code section 48-5-50.1 of the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year so long as the owner occupies the residence as a homestead. After a person has filed the proper application, as provided in subsection (c) of this section, it shall not be necessary to make application thereafter for any year and the exemption shall continue to be allowed to such person. It shall be the duty of any person granted the homestead exemption under subsection (b) of this section to notify the governing authority of the City of Chattahoochee Hill Country, or the designee thereof, in the event that person for any reason becomes ineligible for that exemption.
- (e) The exemption granted by subsection (b) of this section shall not apply to or affect state ad valorem taxes, county ad valorem taxes for county purposes, or county or independent school district ad valorem taxes for educational purposes. The homestead exemption granted by subsection (b) of this section shall be in addition to and not in lieu of any other homestead exemption applicable to municipal ad valorem taxes for municipal purposes.
- (f) The exemption granted by subsection (b) of this section shall apply to all taxable years beginning on or after January 1, 2007.