

City of Santa Claus, Georgia

Code of Ordinances

Zoning

ARTICLE 1. PREAMBLE AND ENACTMENT CLAUSE.

[Section 10. Authority; purpose; enactment.]

In pursuance of the authority conferred by the Georgia General Planning and Zoning Enabling Act of 1957, as amended, and for the purpose of promoting the health, safety, morals, convenience, order, prosperity or the general welfare of the City of Santa Claus; lessening congestion in the street, securing safety from fire, panic and other dangers; providing adequate light and air; preventing the overcrowding of land; avoiding undue concentration of population; facilitating the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; promoting desirable living conditions and the sustained stability of neighborhoods; protecting property against blight and depreciation; conserving the value of buildings and encouraging the most appropriate use of land and other buildings and structures throughout the municipality, all in accordance with a comprehensive plan, the City Council of Santa Claus, Georgia, does ordain and enact into law the following articles and sections.

ARTICLE II. SHORT TITLE.

[Section 20. Citing.]

This ordinance shall be known and may be cited as “The Zoning Ordinance of the City of Santa Claus, Georgia.”

ARTICLE III. SHORT TITLE.

[Section 30. Enumeration.]

Except as specifically defined herein, all words used in this ordinance have their customary dictionary definitions. For the purposes of this ordinance certain words or terms are defined as follows:

Words used in the present tense include the future tense. Words used in the singular include the plural, and the words used in the plural include the singular.

The word “shall” is always mandatory.

The word “person” includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.

The word “lot” includes the work “lot” or “parcel.”

The word “building” includes the work “structure.”

The word “used” or “occupied,” as applied to any land or building shall be construed to include the words “intended, or arranged, or designated to be used or occupied.”

The word “map” or “zoning map” refers to the “Zoning Districts Map” of the City of Santa Claus, Georgia.

Accessory use or building: A use or building customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

Boarding or rooming house: Any dwelling in which three (3) or more persons either individually or as families are housed for hire with or without meals.

Buffer strip, planted: A strip of land along a property line reserved for screening purposes from adjoining properties or public rights-of-way and planted with trees and/or shrubs in such a manner as to provide such screening.

Building: Any structure attached to the ground and intended for shelter, housing or enclosure of persons, animals or chattels.

Business sign: An attached or free-standing structure on which is announced the business use of the premises and/or the name of the operator of the business.

Center line of street: The center line of a street is the line surveyed and monumented by the governing body as such or, if a center line has not been surveyed and monumented, it shall be that line running midway between the outside curbs or ditches of the streets.

Dwelling: A building designed or used for permanent living quarters for one or more families.

Dwelling unit: A dwelling or portion thereof providing permanent living quarters for one or more persons living as a single housekeeping unit.

Family: One or more persons occupying a dwelling unit and living as a single housekeeping unit.

Front yard: An open, unoccupied space on the same lot with a principal building, extending the full width of the lot and located between the street line and the front line of the building projected to the side lines of the lot.

Lot: A parcel of land occupied or capable of being occupied by one or more buildings and the accessory buildings or uses customarily incidental to it, including such open spaces as are required by this ordinance.

Lot Width: The distance between the side boundaries of the lot measured at the front building line.

Major Street: A street designed as a major street on the zoning districts map of the City of Santa Claus.

Outdoor Advertising Sign: An attached or free-standing structure conveying some information, knowledge or idea to the public.

Secondary Street: A street or highway designated as a secondary street on the zoning districts map of the City of Santa Claus.

Side Yard: An open, unoccupied space on the same lot with a principal building located between the side of the building and the side line of the lot and extending from the rear line of the front yards to the front line of the rear yard.

Structure: Anything constructed or erected on the ground or attached to something located on the ground.

Trailer Park: A lot, portion or parcel of land designated for or which is intended to be used commercially for accommodation of two (2) or more residential trailers.

ARTICLE IV. ESTABLISHMENT OF DISTRICTS.

[Section 40. Purposes of article.]

This article is established to provide districts for the various uses of land within the city and to provide for the interpretation of district boundaries on the zoning map.

Section 41. Zoning districts.

For purposes of this ordinance, the City of Santa Claus, Georgia, is divided into seven (7) districts designated as follows:

- | | |
|-----|------------------------------------|
| A-1 | Agricultural District |
| R-1 | Single-Family Residential District |
| R-2 | Multi-Family Residential District |
| C-1 | Central Business District |
| C-2 | Highway Commercial District |
| I-1 | Light Industrial District |
| I-2 | Heavy Industrial District |

Section 42. Zoning Map.

The boundaries of these districts are hereby established as shown on the map entitled, "Zoning Districts Map – Santa Claus, Georgia," dated and certified by the City Clerk. Said map is hereby made part of this ordinance; it shall be on file in the office of the City Clerk and available for public inspection.

Section 43. Map Amendment.

If, in accordance with the provisions of this ordinance, changes are made in district boundaries portrayed on the zoning map, such changes shall be made on the official zoning map promptly after the amendment has been approved by the City Council.

Section 44. Interpretation of District Boundaries.

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts shown on the zoning map, the following rules shall apply:

- (44.1) Where district boundaries are depicted as approximately following the center lines of streets or highway, center lines of streams or drainage ways, street lines or highway right-of-way lines, such center lines, street lines or highway rights-of-way lines shall be construed to be such boundaries.
- (44.2) Where district boundaries are so depicted that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries.
- (44.3) Where district boundaries are so depicted that they are approximately parallel to the center lines of streets, highways or railroads, or rights-of-way of same, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown on said zoning map.
- (44.4) Where a district boundary line as appearing on the zoning map divided a lot in single ownership at the time of enactment of

this ordinance, the district requirements for the least restricted portion of such lot shall be deemed to apply to the whole thereof, provided that such extension shall not include any part of such a lot more than thirty-five (35) feet beyond the district boundary line

ARTICLE V. APPLICATION OF REGULATIONS.

[Section 50. Purpose of article.]

This article is established to provide the conditions that must be met by anyone under the jurisdiction of this ordinance. Except as hereinafter provided.

Section 51. Use.

No building or structure or land shall hereafter be used or occupied and no building or structure of part thereof shall be erected, constructed, reconstructed, moved or altered except in conformity with the regulations herein specified for the district in which it is located.

Section 52. Height and Density.

No building or structure shall hereafter be erected, constructed, reconstructed or altered to:

- (a) Exceed the Height limits;
- (b) House a greater number of families or occupy a smaller lot area per family; or
- (c) Have narrower or smaller front or side yards than are herein required.

Section 53. Lot Size and Occupancy.

No lot, even though it may consist of one or more adjacent lots in the same ownership at the time of passage of this ordinance, shall be reduced in size so that lot width or size of yards or lot area per family or any other requirement of this ordinance is not maintained. This section shall not apply when a portion of a lot is acquired for public use.

Section 54. Yards and Other Spaces.

No part of a yard or other open space of the off-street parking or loading space required adjacent to any building for the purpose of complying with the provisions of the ordinance shall be included as a part of the yard or off-street parking or loading space required for another building.

Section 55. One Principal Building on a Lot.

Only one principal building and its customary accessory buildings may hereafter be erected on any one lot.

Section 56. Public Street Frontage.

No building shall be erected on a lot which does not abut for at least twenty-five (25) feet on a public street.

ARTICLE VI. GENERAL PROVISIONS.

[Section 60. Purpose of Article.]

This article is established to regulate nonconforming uses, off-street parking, and off-street loading and unloading; to strive for the ultimate termination of nonconforming uses; and to provide suitable off-street parking, loading, and unloading space for each type of use.

Section 61. Continuance of Nonconforming Uses.

The lawful use of any building or structure or land existing at the time of the enactment of this ordinance may be continued even though such use does not conform with the provisions of this ordinance except that the nonconforming structure or use shall not be:

- (a) Changed to another nonconforming use;
- (b) Re-established after discontinuance for one year; or
- (c) Extended except in conformity with this ordinance.

Section 62. Off-Street Automobile Parking.

Off-street automobile parking space shall be provided on every lot on which any of the following uses are hereafter established. The number of automobile parking spaces provided shall be at least as great as the number specified below for the various uses:

- (62.1) Automobile sale and repair garages: One space for each regular employee plus one space for each two hundred fifty (250) square feet of floor area used for repair work.
- (62.2) Gasoline filling stations: Five (5) for each grease rack or similar facility plus one space for each gas pump attendant.
- (62.3) Hospitals and nursing homes or similar institutions: One space for each three (3) beds plus one space for each staff or visiting doctor and one space for each three (3) employees.
- (62.4) Hotels: One space for each two (2) guest bedrooms plus one space for each four (4) employees.
- (62.5) Industrial Use: One (1) space for each two (2) employees on a single shift plus one (1) space for each company vehicle operating from the premises.
- (62.6) Lodges and Clubs: One (1) space for each five (5) members.
- (62.7) Office Building: One (1) space for each three hundred (300) square feet of floor space.

- (62.8) Places of Amusement or Assembly Without Fixed Seats: One (1) space for each two hundred (200) square feet of floor space devoted to patron use.
- (62.9) Places off Public Assembly: One (1) space for each four (4) seats in the principal assembly room.
- (62.10) Residential: One (1) space for each dwelling unit.
- (62.11) Restaurants: One (1) space for each seventy-five (75) square feet of floor area devoted to patron use, plus one (1) space for each four (4) employees.
- (62.12) Retail Business: One (1) space for each two hundred fifty (250) square feet of sales space.
- (62.13) Rooming and Boarding Houses: One (1) space for each two (2) bedrooms.
- (62.14) Schools: One (1) space for each two (2) faculty and staff employees; for each three (3) other employees; and for each five (5) high school students.
- (62.15) Tourist Courts and Motels: One (1) space for each accommodation.
- (62.16) Trailer Parks: One (1) space for each trailer space.
- (62.17) Wholesale Business: One (1) space for each two (2) employees. Each space shall be at least three hundred (300) square feet in area and shall have vehicular access to a public street. Turning space shall be provided (except for single-family residences) so that no vehicle will be required to back into the street.

Section 63. Location of Parking Space on Other Property.

If the required automobile parking spaces cannot be reasonably provided on the same lot on which the principal use is conducted, such spaces may be provided on other off-street property provided such property lies within four hundred (400) feet of the main entrance to such principal use. Such automobile parking space shall be associated with the principal use and shall not thereafter be reduced or encroached upon in any manner.

Section 64. Extension of Parking Spaces into a Residential District.

Required parking space may extend up to one hundred twenty (120) feet into a residential zoning district, provided that:

- (a) The parking space adjoins a commercial or industrial district;
- (b) Has its only access to or fronts upon the same street as the property in the commercial or industrial district for which it provides required parking space; and
- (c) Is visually separated from abutting properties in the adjoining residential district by a ten (10) foot wide evergreen planted buffer strip.

Section 65. Off-Street Loading and Unloading Space.

On every lot of which a business, trade or industry is hereafter established, space with access to a public street or alley shall be provided as indicated below for loading and unloading of vehicles off the public right-of-way. The minimum loading and unloading space required shall be:

- (65.1) Retail Business: One (1) space of three hundred (300) square feet for each three thousand (3,000) square feet of floor area or fraction thereof.
- (65.2) Wholesale and Industry: One (1) space of five hundred (500) square feet for each ten thousand (10,000) square feet of floor area or fraction thereof.
- (65.3) Bus and Truck Terminals: Sufficient space to accommodate the maximum number of buses or trucks to be stored or to be loaded or unloaded at the terminal at any one time.

ARTICLE VII. USE PROVISIONS FOR RESIDENCE DISTRICTS.

[Section 70. Purposes.]

It is the intent of this ordinance that residential districts be reserved predominately for residence and contain public and semi-public uses which are necessary to serve the residents; to protect residents, as far as possible, against congestion and through traffic; to promote the stability and character of residential development; and to promote the most desirable use of land in accordance with a comprehensive plan.

Section 71. Agricultural District A-1.

It is the intent of the A-1 Agricultural District to provide for the continued existence of agricultural uses, and lower density residential development than is found in the R-1 Residential District. The A-1 district comprises that portion of the City of Santa Claus which is primarily rural in nature, but which can be expected to experience urban development in the future. The following uses are permitted in the A-1 district:

- (71.1) Any type of agriculture, except that no building housing cattle or poultry may be located within three hundred (300 feet of a district line.
- (71.2) Any use permitted in the R-1 Residential District.
- (71.3) Hospitals.
- (71.4) Cemeteries.
- (71.5) Facilities providing municipal services.

Section 72. Single-Family Residential District R-1.

The R-1 Residential District is composed chiefly of existing low-density residential areas of the city, and vacant or open areas

where similar residential development appears likely to occur. The regulations for this district are designed to encourage similar and complementary type

residential development together with associated recreational, religious and educational facilities. The following uses are permitted in the R-1 district:

- (72.1) Single-family dwellings, except trailers and mobile homes.
- (72.2) Agriculture, excluding the commercial raising of poultry and livestock.
- (72.3) Church bulletin boards not exceeding twenty (20) square feet in area.
- (72.4) Churches, fraternal organizations and clubs not operating for a profit; provided that:
 - (a) There is a planted buffer strip at least ten (10) feet wide along the side and rear lines; and
 - (b) The buildings are located not less than fifty (50) feet from any lot line.
- (72.5) Customary accessory uses of buildings.
- (72.6) Customary incidental home occupations including the professional offices of an architect, artist, dentists, engineer, lawyer, and physician provided there is no external evidence of such occupations except an announcement sign not more than two (2) square feet in area and that the operations are conducted within a dwelling by not more than one person in addition to those persons resident therein. Off-street parking provisions of Article VI, Section 62, are applicable to incidental home occupations.
- (72.7) Substations of utilities (low voltages) provided they are housed within a building architecturally similar to surrounding structures.
- (72.8) Public buildings, structures and grounds, except cemeteries.
- (72.9) Schools, including private schools, nursery schools, and kindergartens.
- (72.10) Signs not more than six (6) square feet in area advertising the sale or rental of the property on which they are located.

(72.11) Hospitals and nursing homes.

Section 73. Multi-Family Residential District R-2.

It is the intent of the R-2 Residential District to provide for a less restricted type of residential development at higher densities but under similar environmental conditions as found in the R-1 district.

(73.1) Any use permitted in the R-1 District.

(73.2) Multi-family residences.

(73.3) Boarding and rooming houses.

(73.4) Cemeteries.

(73.5) Hospital.

(73.6) House trailers, mobile homes shall not be permitted.

Section 73. R-2A District.

In the R-2A District the following uses are permitted:

(74.1) Any use permitted in the R-1 District.

(74.2) Multi-family residences.

(74.3) Boarding and rooming houses.

(74.4) Cemeteries.

(74.5) Hospitals.

ARTICLE VII. USE PROVISIONS FOR BUSINESS DISTRICTS.

[Section 80. Purpose.]

Business Districts are established to provide locations for convenient exchange of goods and services in a reasonable and orderly manner; to protect the character and established pattern of desirable

commercial development; to conserve the value of property; and to exclude those uses that are incompatible with designated uses for the districts.

Section 81. Central Business District C-1.

The C-1 Zone is established to protect present business and commercial uses; to encourage the eventual elimination of uses inappropriate to the function of the central business area; and to encourage intensive development of this zone as the shopping and business center of the City of Santa Claus and surrounding trade area. The following uses are permitted in the C-1 District:

- (81.1) Any retail business or service, including manufacturing in connection with a retail store or shop providing that such manufacturing is incidental to the retail use and all goods manufactured are sold on the premises.
- (81.2) Automobile sale rooms and repair garages.
- (81.3) Bus terminals and taxicab stands.
- (81.4) Clubs and lodges.
- (81.5) Funeral parlors.
- (81.6) Gasoline service stations, provided that points of access and egress shall be located not less than ten (10) feet from the intersection of street lines; shall not exceed forty (40) feet in width; and shall not be closer than twenty (20) feet apart.
- (81.7) Hotels and motels.
- (81.8) Offices and banks.
- (81.9) Newspapers and printing plants.
- (81.10) Off-street parking lots.
- (81.11) Professional offices for physicians, dentists, lawyers, engineers and the like.
- (81.12) Public uses and structures.
- (81.13) Public utility structures.

- (81.14) Radio stations.
- (81.15) Restaurants, bars, grills and similar eating and/or drinking establishments, excluding drive-ins.
- (81.16) Sings: Outdoor, advertising and professional or announcement.
- (81.17) Theaters, indoor.

Section 82. Highway Commercial District C-2.

The C-2 commercial District is intended primarily for the development of those business activities which cater to the needs of highway traffic. The following uses are permitted in the C-2 District:

- (82.1) Retail shops customarily serving tourist or highway trade.
- (82.2) Automobile parts sale stores.
- (82.3) Automobile sales rooms and used car lots.
- (82.4) Bus terminals.
- (82.5) Business and outdoor advertising sings.
- (82.6) Drive-in theaters.
- (82.7) Drug Stores.
- (82.8) Gasoline service stations, provided that points of access and egress shall be located not less than ten (10) feet from the intersection of street lines; shall not exceed thirty (30) feet in width; and shall not be closer than forty (40) feet apart.
- (82.9) Motels.
- (82.10) Off-streets parking lots.
- (82.11) Public and semi-public recreation facilities, including bowling alleys and miniature golf courses.
- (82.12) Public uses and structures.

(82.13) Repair garages.

(82.14) Restaurants, grills and similar eating establishments, including drive-ins.

(82.15) Trailer parks.

(82.16) Signs: Outdoor advertising and professional or announcement.

(82.17) Funeral homes and florist shops.

ARTICLE IX. USE PROVISIONS FOR INDUSTRIAL DISTRICTS.

[Section 90. Purpose.]

Industrial districts are established to provide areas to meet the needs of the city's present and future manufacturing uses, with consideration given to the need for a choice of sites including access to various transportation facilities; and to protect adjacent residential and commercial uses and existing industries within the districts.

Section 91. Light Industrial District I-1.

The I-1 Light Industrial District is established to provide an area for firms engaged in light manufacturing and distribution of goods; to discourage uses incompatible with light manufacturing; to protect the surrounding land uses; and to protect the existing industries within the district. The following uses are permitted in the I-1 District:

(91.1) Agricultural equipment sales and repair.

(91.2) Apparel manufacturing plants.

(91.3) Baking establishments.

(91.4) Bottling and distribution plants

(91.5) Business and outdoor advertising signs.

- (91.6) Cabinet and woodworking shops.
- (91.7) Electrical repair shops.
- (91.8) Gasoline service stations, according to the provisions specified in subsection (82.1).
- (91.9) Ice plants and cold storage plants.
- (91.10) Laundry and dry-cleaning establishments.
- (91.11) Public utility structures.
- (91.12) Restaurants, cafes and similar establishments.
- (91.13) Truck terminals and warehouses.
- (91.14) Wholesale and storage businesses including building material yards.
- (91.15) Other light industries, provided that any industry that may cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odor, dust, fire hazards or other objectionable condition, shall be required to show that the proposed location, construction and operation will not injure present or prospective industrial development in the district.

Section 92. Heavy Industrial District I-2.

The I-2 district is established to provide a suitable area for the location of heavy manufacturing plants, to protect the surrounding land uses, to protect the industries located in the district, and to discourage uses that are incompatible with those designated for this district. The following uses are permitted in the I-2 District:

- (92.1) Any use permitted in an I-1 District.
- (92.2) Bulk storage of petroleum.
- (92.3) Concrete batch plants.
- (92.4) Metal fabricating plants.
- (92.5) Millwork and flooring processing.

- (92.6) Business and outdoor advertising signs.
- (92.7) Railroad terminals and warehouses.
- (92.8) Radio transmission towers.
- (92.9) Stockyards for livestock and swine, slaughter houses and the processing of poultry and livestock.
- (92.10) Textile manufacturing and processing.
- (92.11) Other heavy industries, provided that any industry that may cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odor, dust, fire hazard or other objectionable condition, shall be required to show that such conditions will not adversely affect the surrounding districts.

ARTICLE X. AREA, YARD AND HEIGHT REQUIREMENTS.

[Section 100. Purpose; table.]

This article is established to identify the minimum lot size and width; front and side yard setbacks; and building height allowed within each designated district.

ARTICLE X. AREA, YARD AND HEIGHT REQUIREMENTS

[Sec. 100. Purpose; table.]

This article is established to identify the minimum lot size and width; front and side yard setbacks; and building height allowed within each designated district.

District	Minimum Lot Size			Minimum Front Yard Setback			Maximum height (feet)
	Area in square feet	Square feet per family	Lot width bldg. line (feet)	Major streets	ROW all other streets	Minimum side yards (feet)	
A-1	20,000	20,000	125	50	35	15	35
R-1	12,000	12,000	100	50	35	10 on each side	35
R-2	5,000	single-family 5,000 multi-family 3,000	50	50	35	10 on each side	35
			75	50	35	10 on each side	40
C-1							50
C-2				50	35	None, 10 feet if provided	40
I-1				50	35	30	
I-2				50	50	30	

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ARTICLE XI. EXCEPTIONS AND MODIFICATIONS.

[Section 110. Purposes.]

This article is established to provide relief from unnecessary hardships that may occur from the application of this ordinance to a specific piece of property. Further, it is intended to provide for the establishment of group project developments that could not reasonably adhere to the provisions of this ordinance.

Section 111. Existing lots.

Where the owner of a plot of land consisting of one (1) or more adjacent lots of record at the time of the enactment of this ordinance did not at that time own sufficient contiguous land to enable him to conform to the minimum lot size requirements of this ordinance; or if the topography, physical shape or other unique feature of such lots of record prevent reasonable compliance with the setback or other requirements of this ordinance, such plot of land may nevertheless be used as a building site. The yard and other space requirements of the district in which the piece of land is located may be reduced by the smallest amount that will permit reasonable use of the property as a building site; however, in no case shall the building inspector permit any lot in a residential district to be used as a building site which is less than four thousand (4,000) square feet in total area, twenty-five (25) feet in width, or has front, side and rear yard setbacks of less than fifteen (15) feet (front), three (3) feet (side), and five (5) feet (rear), respectively.

Section 112. Front-yard setback for dwellings.

The front-yard setback requirements of this ordinance for dwellings shall not apply on any lot where the setback of an existing building or buildings located wholly or in part within one hundred (100) feet on each side of such lot within the same block and zoning district and fronting on the same side of the street is less than the required minimum setback. In such cases, the setback on such lot may be less than the required setback but not less than the average of the setbacks of the aforementioned existing buildings.

Section 113. Height Limits.

The height limitations of this ordinance shall not apply to church spires, belfries, cupolas, domes and similar structures not intended for human occupancy; nor the monuments, water towers, transmission towers, chimneys, smokestacks, derricks, conveyors, flag poles, radio or television towers, or aerials, except in the vicinity of airports.

Section 114. Corner lots.

The side-yard setback requirements for corner lots shall be the same as the front setback requirements for the next adjacent lot fronting on the street that the side yard of the corner lot faces.

Section 115. Vision Clearance.

In all use districts except the Central Business District (C-1), no fence, walls, shrubbery or other obstruction (excluding traffic and street signs) to vision between the heights of three (3) feet and fifteen (15) feet shall be permitted within twenty (20) feet of the intersection of the rights-of-way lines of the streets or railroads.

Section 116. Group Projects.

A group project (housing, commercial, industrial, educational, medical, religious, civic) of two (2) or more buildings to be constructed on a plot of land of at least two (2) acres not subdivided into customary streets and lots, and which will not be so subdivided, may be constructed provided:

(116.1) Uses are limited to those permitted within the district in which the project is located.

(116.2) The overall intensity of land use is no higher and the standard of open space is not lower than that permitted in the district in which the project is located.

(116.3) Building heights do not exceed the height limits permitted in the district in which the project is located.

(116.4) The distance of every building from the nearest property line shall meet the front-yard setback and side-yard requirements of the district in which the project is located.

(116.5) If the project is a planned shopping center, it shall be located on a major thoroughfare.

(116.6) Off-street automobile parking space requirements for the proposed uses are provided for on the lot as specified by Article VI, Section 62.

(116.7) If the project lies within or abuts upon a residential district, there shall be a ten (10) foot wide, appropriately planted buffer strip along the rear or side lot lines abutting the residential properties.

ARTICLE XII. ADMINISTRATION, ENFORCEMENT AND PENALTIES.

[Section 120. Purposes of Article.]

The intent of this Article is to provide for suitable and proper administration and enforcement of the provisions of this ordinance; to designate the enforcing officer and to outline the proper steps to be taken by parties interested in constructing, erecting or modifying a structure or other land use; and to set forth the penalties for

violating the provisions of this ordinance.

Section 121. Zoning and Enforcement Officer.

It shall be the duty of the building inspector and he is hereby given the authority to administer and enforce the provisions of this ordinance.

Section 122. Building Permit Required.

No building or other structure shall be located, erected, moved, added to, or structurally altered without a building permit issued by the Building Inspector. No building permit shall be issued except in conformity with the provisions of this ordinance.

Section 123. Application for Building Permit.

All applications for building permits shall be accompanied by plans in duplicate, drawn to scale, showing the actual dimensions of the lot to be built upon, the sizes and locations of the lot of any existing buildings or structures, the shape, size, height, use and location on the lot of the building or structure proposed to be erected or altered, and such other information as may be necessary to provide for enforcement of the provisions of this ordinance. If no substantial construction progress has been made within six (6) months of the date of the issuance of the building permit, the permit becomes invalid.

Section 124. Certificate of Occupancy Required.

A certificate of occupancy issued by the building inspector is required in advance of the use or occupancy of:

(124.1) Any lot or a change in the use thereof.

(124.2) A building hereafter erected or altered or a change in the use of an existing building.

(124.3) Any nonconforming use that is existing at the time of the enactment of this ordinance or an amendment thereto that is changed, extended, altered or rebuilt thereafter.

The certificate of occupancy shall state specifically wherein the nonconforming use fails to meet the provisions of this ordinance.

No certificate of occupancy shall be issued unless the lot or building or structure complies with all provisions of this ordinance.

A record of all certificates of occupancy shall be kept on file in the office of the building inspector and a copy shall be furnished on request, to any person having a proprietary or tenancy interest in the building or land involved.

Section 125. Penalties and Violations.

Upon conviction, any person violating any provision of this ordinance shall be guilty of a misdemeanor upon conviction and be punished according to law. Each day such violations continue shall constitute a separate offense.

Section 126. Remedies.

If any building or structure is erected, constructed, reconstructed, repaired, converted or maintained or any building, structure or land is used in violation of this ordinance, the building inspector or other appropriate authority or any adjacent or other property owner who would be damaged by such violation, in addition to other remedies, may institute injunction, mandamus or other appropriate civil action in proceeding to stop the violations in the case of such building, structure or land.

ARTICLE XIII. APPEAL PROCEDURE.

[Section 130. Purpose of Article.]

This article is established to identify the procedure whereby any aggrieved party may appeal the decision of the building inspector.

Section 131. Appeal to the City Attorney.

Any party aggrieved because of an alleged error in any order, requirement, decision or determination made by the building inspector in enforcement of this ordinance, may appeal in writing to the city clerk for and receive a hearing by the city attorney for an interpretation of pertinent ordinance provisions. In exercising this power of interpretation of the ordinance, the city attorney may, in conformity with the provisions of this zoning ordinance, reverse or affirm any order, requirement, decision or determination made by the building inspector.

Section 132. Appeal from the City Attorney.

Any part aggrieved by any decision of the city attorney may seek review of such decision by a court of record, as provided by law.

ARTICLE XIV. AMENDMENTS.

[Section 140. Purpose of Article.]

The article is established to present the legal status of this ordinance and to resolve differences and conflicts between this ordinance and other ordinances.

Section 141. Conflict with Other Regulations.

Whenever the regulations of this ordinance require more restrictive standards than are required in or under any other statute, the requirements of this ordinance shall govern. Whenever

the provisions of any other statute require more restrictive standards than are required by this ordinance the provisions of such statute shall govern.

Section 152. Effective Date.

This ordinance shall take effect and be in force from and after the date of its adoption, the public welfare demanding it.

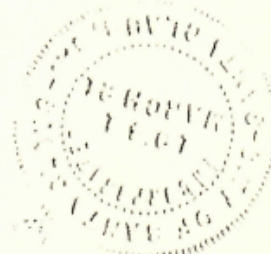
This Zoning Ordinance was read at a regular monthly meeting of the City Council of Santa Claus on 12-7-82. It

was read for the second time at the regular monthly meeting on 1-4-83, after motion for its adoption was duly made by Hubert Register and seconded by JACK MEADOWS, it was passed and adopted by a vote of 3 for and 0 against.

This 4 day of JANUARY, 1983.

Sam R. Wright
Secretary

Earl Korte Jr.
Mayor



ARTICLE XV. FIREARMS.

It shall be unlawful for any person to discharge a firearm within the City of Santa Claus except in cases of justified emergency and\or self-defense.

ARTICLE XVI. LIVESTOCK.

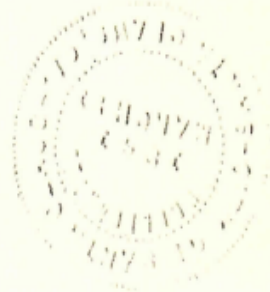
It shall be unlawful to keep, maintain, raise or feed any livestock within the City of Santa Claus, except as authorized in this chapter. Domestic animals used or raised on farm.

This Ordinance was read at a regular monthly meeting of the City Council of Santa Claus on 12-7-82. It was read for the second time at the regular monthly meeting on 1-4-83, after motion for its adoption was duly made by Jack Meadows and seconded by Phil Fletcher, it was passed and adopted by a vote of 3 for and 0 against.

This 4 day of JAN, 1983.

Susan R. Wright
Secretary

Earl Horton Jr.
Mayor



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ARTICLE XVII. INSURANCE.

Section 171. Company license fee generally.

There is hereby levied for each year an annual license fee upon each insurance company insuring risks within the city in the amount of forty dollars (\$40.00), plus an additional license fee of twenty-five dollars (\$25.00) for each separate business location in excess of one operated and maintained by such company within the city; provided, however, said license fee shall entitle a company to write only one class of insurance, and any company writing more than one class of insurance shall be liable for

additional such license fees for each class of insurance written within the city. For the purpose of this article the insurance business is classified according to the five (5) classes enumerated in section 56-305 of Georgia Code Annotated. (Ord. of 11-4-69, Section 1; Ord. of 12-3-74, Section 1)

Section 172. Money Lending Companies Selling Life, Accident, and Sickness Insurance.

For each separate business location, not otherwise subject to a license fee hereunder, operated and maintained by a business organization which is engaged in the business of lending money or transacting sales involving term financing, and in connection with such offers, solicits or takes application for insurance through a licensed agent of a life insurance company, said life company shall pay an additional annual license fee of fourteen dollars (\$14.00) per location. (Ord. of 11-4-69, Section 1 (a); Ord. of 12-4-74, Section 1)

Section 173. Agency License Fee; Independent Agencies, Brokers, etc., Not Otherwise Licensed.

There is hereby levied for each year an annual license fee upon each separate business location from which an insurance business is conducted and which is not subject to the company license fees imposed by sections 171 and 172, in the amount of twenty-five dollars (\$25.00) for each such location within the city; provided, however, said license fee shall authorize only one class of insurance business to be conducted from such locations, and the writing of more than one class of insurance from such a location

shall render such location liable for an additional such license fee for each class of insurance written. (Ord. of 11-4-69, Section 2; Ord. of 12-4-74, Section 1)

Section 174. Gross Premium Tax-Life, Accident, and Sickness Insurance.

There is hereby levied for each year an annual tax upon each company doing business in the City of Santa Claus, writing life insurance of one (1) percent of the gross direct premium received during the preceding calendar year from policies upon the lives of persons residing within the corporate limits of the City of Santa Claus. "Gross direct premiums" as used in this article shall mean "gross direct premiums" as used in section 56-1303 of Georgia Code Annotated. The tax levied by this section is in addition to the license fees levied by section 171. (Ord. of 11-4-69, Section 3; Ord. of 12-5-72; Ord. of 12-3-74, Section 1)

Section 175. Same-All Other Companies.

There is hereby levied for each year an annual tax upon each company doing an insurance business within the City of Santa Claus, other than life in an amount equal to two (2) percent of the gross direct premiums received during the preceding calendar year from policies upon risks located within the city, excluding premiums taxed under section 173. The tax levied by this section is in addition to the license fees levied by section 171 and 172. (Ord. of 11-4-69, Section 4; Mo. Of 12-5-72; Ord. of 12-4-74, Section 1)

Section 176. Administrative provisions.

(a) The license fees levied by sections 171, 172 and 173 are due and payable on January first of each year. Any such license fee not paid by March thirty-first for each respective year shall be delinquent.

(b) The premium taxes levied by sections 174 and 175 are due and payable on January first of each succeeding year. Any company not reporting and paying the premium tax on or before March thirty-first of each year shall be delinquent.

(c) Every insurance company doing business within the City of Santa Claus and subject to the fees and taxes herein imposed, shall file with the city clerk, on forms prescribed by him, a report showing the names and addresses of its agents representing such company in the city; the location and person in charge of each business location within the city operated and maintained by such company; the classes of insurance written; and such other reasonable information as may be required, and, in addition, shall furnish complete information regarding the premium received, by class,

from policies written on risk residing or located within the city. Such report shall be made over affidavit of an officer of such company. It is hereby declared to be a violation of this article for any person or his agent to knowingly give false or incomplete information on any such report. Said report shall be filed at the time of paying the license fee and premium tax.

This Ordinance was read at a regular monthly meeting of
the City Council of Santa Claus on 12-7-82.

It was read for the second time at the regular monthly meeting

on 1-4-82, after motion for its adoption was

duly made by Roger Gay and seconded by Robert

Register, it was passed and adopted by a vote of

3 for and 0 against.

This 4 day of JAN, 1983.

James R. Wright
Secretary

Earl Korte
Mayor

