

AN ORDINANCE AMENDING CHAPTER 16, LAND DEVELOPMENT, ARTICLE 3 (SUBDIVISIONS), TO ALLOW FURTHER SUBDIVISION OF LOTS FRONTING PRIVATE STREETS

WHEREAS, the City Land Development Code, Chapter 16, Article III, currently allows new lots to be created solely fronting on public streets; and

WHEREAS, many lots in the City, legally platted, currently front private streets and are thus legally non-conforming to the requirements of the subdivision regulations; and

WHEREAS, in order to promote revitalization of the neighborhoods and development in the communities, the City Council recognizes the further subdivisions of property should be afforded to those lots facing private streets as well.

THEREFORE, Mayor and City Council of the City of Dunwoody hereby ordain as follows:

Section 1: Chapter 16, Article 3 (Subdivisions), Division 1 (Generally) of the City Code is hereby amended by revising Section 16-296 to read as follows:

ADDITIONS = UNDERLINED
DELETIONS = ~~STRIKETHROUGHS~~

Sec. 16-296. Exemptions

- (a) This article does not apply to a lot or parcel of land established by deed or plat recorded among the land records of the county prior to the effective date of these subdivision regulations or the division or sale of land by judicial decree.
- (b) For purposes of this Article, the division of land into two lots shall be considered a subdivision but exempt from the plat review procedures, provided that:
 - (1) Each proposed lot complies with the requirements of the city zoning ordinance and all conditions of zoning;
 - (2) Each proposed lot fronts an existing paved private or public street, which contains the necessary right-of-way width required by this chapter;
 - (3) All such plats are drawn to final plat standards in this chapter; and

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- (4) The lot being divided is not a lot which resulted from a subdivision of property that was exempt from these regulations in the immediately preceding 24 months.

Section 2: Chapter 16, Article 3 (Subdivisions), Division 3 (Design Standards) of the City Code is hereby amended by revising Section 16-569 to read as follows:

Sec. 16-569. Frontage

Each subdivision lot shall front upon ~~an existing paved private or public street~~ publicly maintained street.

Section 3: This Ordinance shall become effective immediately upon its adoption by the City Council, and incorporated into the Code of the City of Dunwoody, Georgia. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED, this ____ day of _____, 2011.

Approved:

Ken Wright, Mayor

ATTEST:

Approved as to Form and Content:

Sharon Lowery, City Clerk
(Seal)

Brian Anderson, City Attorney

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**AN ORDINANCE AMENDING CHAPTER 10 OF THE CITY OF DUNWOODY
CODE OF ORDINANCES BY REVISING CERTAIN REQUIREMENTS OF DOOR-
TO-DOOR SALESMEN REGULATIONS**

WHEREAS, the Mayor and City Council of the City of Dunwoody are charged with providing for the health, safety and welfare of the citizens of the City; and

WHEREAS, the Mayor and Council has previously adopted Chapter 10, Article III to regulate the business of door-to-door solicitation for profit in the City; and

WHEREAS, due to recent complaints about the operation of door-to-door solicitors, the Mayor and Council desire to revise said regulations to create additional restrictions to make sure that the operation of door-to-door solicitors is conducted in a lawful and peaceful manner; and

WHEREAS, the Mayor and City Council find that these additional regulations will help protect the health, safety and welfare of the citizens.

NOW, THEREFORE, Mayor and City Council of the City of Dunwoody hereby ordain as follows:

ADDITIONS = UNDERLINED
DELETIONS =

Section 1: Chapter 10, Article III ("Door to Door Salesmen) of the City of Dunwoody Code of Ordinances is hereby amended by revising Section 10-89 ("Permit Required") to read as follows:

Sec. 10-89. Permit Required

- (a) It shall be unlawful for any person to engage in the business of soliciting, calling on residences door-to-door without first having obtained a permit in accordance with the provisions contained in this chapter.
- (b) The requirement of subsection (a) of this section is meant to apply to door-to-door solicitations for commercial transactions for profit only.
 - (1) It is not meant to regulate solicitation for charitable, political, or other nonprofit purposes provided that all sales proceeds are the property of and used by the nonprofit organization.
 - (2) It does not apply to officers or employees of the city, county, state, or federal governments, or any subdivision thereof, when on official business.

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- (c) Each person shall at all times while soliciting in the city carry upon his person the permit so issued and the same shall be exhibited by such solicitor whenever he is requested to do so by any police officer or by any person solicited.
- (d) Each permit issued shall contain the name of the solicitor, the name and address of the person, firm or corporation or association by whom the solicitor is employed or represents, a photograph of the solicitor, and physical description. Such photograph shall be provided by the solicitor and shall be at least two inches by two inches in size.
- (e) The permit shall state the expiration date thereof. In no event shall a permit be valid for more than three (3) months. Upon expiration of the maximum three-month period, the permit holder may receive a renewal for an additional three-month period without any additional fees and without having to comply with Section 10-90 below, so long as no more than one (1) complaint has been submitted to the City concerning the permit holder and no enforcement action has been taken against permit holder by the City.

Section 2. Chapter 10, Article III of the City of Dunwoody Code of Ordinances shall be further amended by revising Section 10-91 ("Permit Revocation") to read as follows:

Sec. 10-91. Permit Revocation

- (a) Any permit issued hereunder shall be revoked by the City Manager if the holder of the permit is convicted of a violation of any of the provisions of this Chapter or has made a false material statement in the application, or otherwise becomes disqualified for the issuance of a permit under the terms of this Chapter.
- (b) Immediately upon such revocation, written notice thereof shall be given to the holder of the permit in person or by certified United States mail addressed to his residence address set forth in the application.
- (c) Immediately upon the giving of such notice the permit shall become null and void and must be turned in to the City Manager's office.
- (d) If a permit has been revoked pursuant to this Section, the solicitor may not apply for another permit under this Article for a period of one (1) year after the date of revocation.

Section 3: This Ordinance shall become effective immediately upon its adoption by the City Council, and incorporated into the Code of the City

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of Dunwoody, Georgia. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED AND EFFECTIVE, this the ____ day of _____, 2011.

Approved:

Ken Wright, Mayor

Approved as to Form and Content

Attest:

Sharon Lowery, City Clerk
Seal

Brian Anderson, City Attorney