



GEORGIA DEPARTMENT OF  
**COMMUNITY AFFAIRS**

**Nathan Deal**  
GOVERNOR

**Gretchen Corbin**  
COMMISSIONER

February 26, 2014

Honorable Michael G. Davis  
Mayor of City of Dunwoody  
41 Perimeter Center East, Suite 250  
Dunwoody, Georgia 30346

Dear Mayor Davis:

This letter acknowledges receipt of the City of Dunwoody's letter dated January 10, 2014, the City of Dunwoody's proposed local amendment and the email dated February 18, 2014 amending the original proposal (attached). You have requested that the Department of Community Affairs (DCA) review the amendment and comment in accordance with the Official Code of Georgia Annotated (O.C.G.A.), Title 8, Chapter 2, Article 1, Part 2.

The Uniform Codes Act, O.C.G.A. 8-2-25 (c) (1), requires such amendment(s) to be not less stringent than the State Minimum Standard Codes for Construction and that they be based on local climatic, geologic, topographic or public safety factors. The Act also requires the local government to demonstrate a local need by submitting in writing the legislative findings of the governing body and such other documentation it deems necessary/helpful in justifying the proposed amendment(s).

Legislative findings should take the form of analysis or special studies, conducted by the local government, which would support the need for a particular local code amendment. If such detailed material is not available, documentation of legislative findings must, at a minimum, consist of a resolution adopted by the governing authority which indicates that (a) the governing authority has reviewed the proposed local code amendment(s) being submitted to the Department; (b) the governing authority has found each of the proposed amendment(s) to be not less stringent than the State Minimum Standard Codes; (c) the reason(s) the local government feels each amendment is needed and which of the aforementioned localized factors (i.e., climate, geology, topography or public safety) is causing the need for the local amendment; and (d) the local government is requesting the Department to review the proposed local amendment(s) in accordance with the Act.

Accordingly, the Department may respond to your proposed amendment(s) in one of three ways: 1) the Department recommends adoption of the amendment; 2) the Department does not recommend adoption of the amendment; or 3) the Department has no comment. Whenever the Department has made no comment, there was either no evidence of legislative findings and/or other supporting documentation justifying the requirement provided for the Department to make a decision regarding the amendment or the requirement was an administrative procedure or the requirement was not code related.

Therefore, we have reviewed your amendment and we offer the following recommendations and comments for consideration by your local governing body.

---

60 Executive Park South, N.E. • Atlanta, Georgia 30329-2231 • 404-679-4940

[www.dca.ga.gov](http://www.dca.ga.gov)

*An Equal Opportunity Employer*

EQUAL HOUSING  
OPPORTUNITY



*Recycled Paper*

Honorable Michael G. Davis  
Page 2  
February 26, 2014

1) Regarding **Section 8-1 (e) (1) (iii), Construction Classification and Building Height**, The Department has no comment.

Per O.C.G.A. 8-2-25 (c) (4), Georgia law requires that no local amendment to the State Minimum Standard Codes shall become effective until the local governing body has caused a copy on the adopted amendment to be filed with this Department. We also request that you submit a copy of your adopting ordinance for our record.

If you have questions regarding this matter, please contact me at (404) 679-3106 or by email at [ted.miltiades@dca.ga.gov](mailto:ted.miltiades@dca.ga.gov).

Sincerely,

*Ted Miltiades*

Ted Miltiades, Director  
Office of Construction Codes and Research

TM/mr  
Attachment