

Canton, Georgia

*110 Academy Street
Canton, Georgia 30114*



Minutes - Final - Final

Wednesday, December 15, 2021

11:00 AM

Ordinance Review Committee

Virtual Meeting

Public Call In: 1-415-604-0414 PIN: 499 930 656#

City Council

1. Call to Order*Present:*

*Councilmember Will Carlan
Mayor Pro Tempore JoEllen Wilson
Councilmember Nick Estes
Mr. Billy Peppers, City Manager
Mr. Nathan Ingram, Assistant City Manager
Mr. Bobby Dyer, City Attorney
Ms. Annie Fortner, City Clerk*

The meeting was called to order by Councilmember Carlan.

2. Public Input

Mr. Thomas Weaver discussed a letter he submitted via email to the Committee members regarding his concern within Chapter 32 to raise the age for tobacco sale, possession, and use to 21 and within Chapter 33 to clarify the meaning of a nuisance.

3. Approve Minutes

- A. Ordinance Review Committee Draft Minutes - December 8, 2021 - Attachment 3A

Attachments: [Minutes - Ordinance Review Committee - December 8, 2021](#)

*Mayor Pro Tempore Wilson made a motion to approve the minutes.
Councilmember Estes seconded the motion, and it was approved unanimously.*

4. Discussion of Chapter 26 - Emergency Management and Services

City Attorney Bobby Dyer noted he would remove Article II – Emergency Management Office. City Manager Billy Peppers stated emergency management is a county-wide service and discussed that with new technology, staff can function from their own offices. Mr. Dyer discussed the main concern during a natural disaster would be determining who is in charge which is addressed in mutual aid agreements. Mr. Dyer suggested making a brief reference to agreements and stated he would look into language that should be included. Mr. Dyer noted the second amendment he would suggest would be to better define emergency and set specific powers for the City Manager and Mayor. Mr. Dyer stated Council would be able to veto or override any actions taken during a Special Called meeting. Mr. Dyer will draft language to be considered by the Committee at the next meeting for those changes.

5. Discussion of Chapter 30 - Environment

No changes or additions needed.

6. Discussion of Chapter 32 - Health and Public Welfare

The Committee and staff discussed the prohibition of smoking on sidewalks and the enforcement of the ordinance. Mr. Dyer stated the City will continue to adhere to the state law regarding the age for tobacco use.

7. Discussion of Chapter 33 - Nuisances

Mr. Dyer reviewed the abatement process to remedy blighted properties. Mr. Dyer discussed the difference between blight and a nuisance. Mr. Dyer stated blight is a generalized condition of an area where a nuisance is more specific to a property where it is in such a state that is it now detrimental to surrounding properties. Councilmember Carlan asked about enforcement of barking dogs. Mr. Dyer stated that is covered under the City's noise control ordinance. Mr. Peppers discussed amendments to the nuisance ordinance that the Code Enforcement Office would like to make. Mr. Peppers stated Code Enforcement would like to add trees, bushes, and professionally landscaped properties to those areas which can be regulated. Mr. Peppers stated he will be emailing all Councilmembers a memorandum from Mr. Merrick McClure regarding issues he has come across in Code Enforcement. Mr. Peppers suggested possible amendments to the definition of recreational vehicles and discussed a recent citation issued. Mr. Dyer stated he does not have any proposed changes to the noise control portion of the ordinance.

8. Next Steps

Mr. Dyer suggested reviewing Chapter 34 – Offenses, Chapter 38 – Parks and Recreation, Chapter 42 – Public Safety, and Chapter 46 – Solid Waste at the next meeting. The Committee scheduled the next meeting for Wednesday, January 12th at 3:30 p.m.

9. Adjourn

Councilmember Estes made a motion to adjourn. Mayor Pro Tempore Wilson seconded the motion, and it was approved unanimously.