

**CITY OF HOSCHTON
STATE OF GEORGIA**

Ordinance No. 2023-02

ORDINANCE

AN ORDINANCE TO AMEND SECTIONS 7(A), 10(C), AND 11(C) OF ORDINANCE NO. O-20-06 OF THE CITY OF HOSCHTON BY AMENDING THE LANGUAGE AS SET FORTH BELOW; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, after conducting public hearings regarding this Ordinance on March 16, 2023, and on April 13, 2023, the Mayor and Councilmembers desire to amend Ordinance No. O-20-06 as more specifically described herein in order to change provisions relating to impact fees.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF HOSCHTON HEREBY ORDAINS as follows:

SECTION I.

Section 7(A) of Ordinance No. O-20-06 is hereby amended by eliminating it in its entirety and substituting in its place the following:

- A. At the option of the applicant, the amount of the development impact fee may be determined by the following fee schedule.

**Residential Development Impact Fee Schedule
(per dwelling unit)**

RESIDENTIAL	Park/Open Space Impact Fee (\$)	Police Impact Fee (\$)	Admin Fee (3%) (\$)	Total Impact Fees (\$)
Per dwelling unit (other than dwelling units that are in age-restricted subdivisions and townhome dwelling units)	935.59	791.96	51.83	1,779.38
Per dwelling unit in age-restricted subdivisions	701.73	657.33	40.77	1,399.83
Per townhome dwelling unit	776.54	657.33	43.02	1,476.89

Non-residential Development Impact Fee Schedule
(\$ per 1,000 square feet of building unless indicated otherwise)

INDUSTRIAL AND RELATED	NAICS	Police Impact Fee (\$)	Admin. Fee (3%) (\$)	Total Impact Fees (\$)
Construction company	23	962.96	28.89	991.85
Data processing	5182	1095.84	32.88	1128.72
General freight trucking	4841	439.98	13.20	453.18
Industrial, light	--	315.31	9.46	324.77
Industrial, heavy	--	157.51	4.73	162.24
Materials recovery facility	56292	1842.04	55.26	1897.30
Mini-warehouse	--	62.77	1.88	64.65
Mining (acre)	21231	20.53	0.62	21.15
Nursery stock wholesaler (acre)	42493	199.75	5.99	205.74
Manufacturing	31-33	504.51	15.14	519.65
Petroleum bulk storage (acre)	4247	711.00	21.33	732.33
Research laboratory	--	1095.84	32.88	1128.72
Septic tank services	562991	1036.29	31.09	1067.38
Solid waste collection	562111	1513.53	45.41	1558.94
Warehousing	4931	439.98	13.20	453.18
Wholesale trade	42	315.31	9.46	324.77
RETAIL TRADE/SERVICE	NAICS	Police Impact Fee (\$)	Admin. Fee (3%) (\$)	Total Impact Fees (\$)
Amusement arcade	71312	733.30	22.00	755.30
Amusement park (acre)	713	3154.06	94.62	3248.68
Arena	--	1576.88	47.31	1624.19
Art store	45392	602.18	18.07	620.25
Automobile, new car dealer	44111	630.63	18.92	649.55
Automobile, used car dealer	44112	733.30	22.00	755.30
Automotive repair/maintenance	8111	1211.41	36.34	1247.75
Automotive parts store	44131	630.63	18.92	649.55
Automobile rental and leasing	53211	733.30	22.00	755.30
Bank	52211	1261.27	37.84	1299.11
Baked goods store	445291	733.30	22.00	755.30
Bar, drinking place or tavern	7224	906.35	27.19	933.54
Beer, wine and liquor store	44531	418.27	12.55	430.82
Book store	4512	733.30	22.00	755.30
Bowling center	71395	733.30	22.00	755.30
Building materials store	4441	188.89	5.67	194.56
Car wash (principal use)	811192	1202.61	36.08	1238.69
Caterer	72232	1173.28	35.20	1208.48
Cemetery (acre)	81222	25.22	0.76	25.98

RETAIL TRADE/SERVICE	NAICS	Police Impact Fee (\$)	Admin. Fee (3%) (\$)	Total Impact Fees (\$)
Clothing store	4481	526.50	15.80	542.30
Consumer lending	522291	1022.51	30.68	1053.19
Cosmetic or beauty supply store	44612	556.42	16.69	573.11
Day care center	6244	788.44	23.65	812.09
Department store	4521	733.30	22.00	755.30
Dry cleaning/laundry	8123	1446.94	43.41	1490.35
Electronics store	443142	733.30	22.00	755.30
Fitness center	71394	733.30	22.00	755.30
Florist	4531	256.65	7.70	264.35
Formal wear/ costume rental store	53222	526.50	15.80	542.30
Fuel dealer	45431	657.91	19.74	677.65
Funeral home	81221	457.57	13.73	471.30
Furniture or home furnishings store	442	339.66	10.19	349.85
Gasoline with convenience store	44711	1627.92	48.84	1676.76
Golf course/country club (acre)	71391	78.90	2.37	81.27
Hardware store	44413	299.18	8.98	308.16
Hobby, toy, game store	45112	526.50	15.80	542.30
Home improvement store	44411	526.50	15.80	542.30
Household appliance store	443141	733.30	22.00	755.30
Insurance carrier	5241	1261.27	37.84	1299.11
Janitorial service	56172	1242.21	37.27	1279.48
Jewelry store	44831	733.30	22.00	755.30
Landscaping services	56173	1361.00	40.83	1401.83
Linen or uniform supply	81233	434.99	13.05	448.04
Lodging (hotel or motel, including extended stay (per guest room)	72111	252.25	7.57	259.82
Lodging, bed and breakfast inn (per guest room)	721191	126.12	3.78	129.90
Marina	71393	1173.28	35.20	1208.48
Merchandise (general) store	4529	733.30	22.00	755.30
Merchandise (used) store	4533	526.50	15.80	542.30
Mobile food service (per vehicle)	72233	1041.28	31.24	1072.52
Movie Theater	71111	469.31	14.08	483.39
Museum	71211	366.65	11.00	377.65
Musical instrument store	45114	526.50	15.80	542.30
Nursery, garden, farm supply store	44420	340.25	10.21	350.46
Office, general	--	945.95	28.38	974.33
Office, medical or dental	--	1891.91	56.76	1948.67
Office supply store	4532	733.30	22.00	755.30
Optical goods store	44613	733.30	22.00	755.30
Paint or wallpaper store	44412	414.46	12.43	426.89
Personal care service	8121	916.91	27.51	944.42

RETAIL TRADE/SERVICE	NAICS	Police Impact Fee (\$)	Admin. Fee (3%) (\$)	Total Impact Fees (\$)
Pet care (excludes veterinary)	81291	1085.28	32.56	1117.84
Pet/pet supply store	45391	398.62	11.96	410.58
Pharmacy or drug store	44611	526.50	15.80	542.30
Recreational vehicle dealer	44121	526.50	15.80	542.30
Recreational vehicle park or campground (per camp site)	7212	21.99	0.66	22.65
Rental center	53231	733.30	22.00	755.30
Restaurant	7225	1531.13	45.93	1577.06
Securities brokerage	52312	1085.28	32.56	1117.84
Shoe store	44821	526.50	15.80	542.30
Specialty food store	4452	733.30	22.00	755.30
Supermarket/ grocery	44511	526.50	15.80	542.30
Sporting goods store	45111	526.50	15.80	542.30
Tennis or racquet club (principal) (court)	--	75.67	2.27	77.94
Tire store	44132	526.50	15.80	542.30
Tobacco/vape store	453991	733.30	22.00	755.30
Veterinary or animal hospital	54194	890.81	26.72	917.53
Video rental	53223	623.30	18.70	642.00
TRANSPORTATION AND COMMUNICATION	NAICS	Police Impact Fee (\$)	Admin. Fee (3%) (\$)	Total Impact Fees (\$)
Ambulance services	62191	1217.27	36.52	1253.79
Courier or express delivery	4921	747.96	22.44	770.40
Limousine service	48532	868.22	26.05	894.27
Motor vehicle towing	48841	1217.27	36.52	1253.79
Newspaper publisher	51111	629.75	18.89	648.64
Parking lot/garage (acre)	81293	2103.69	63.11	2166.80
Radio/TV broadcasting	5151	377.20	11.32	388.52
Sound recording studio	51224	246.38	7.39	253.77
Taxi service	48531	1217.27	36.52	1253.79
Wireless telecommunication carrier	51721	733.30	22.00	755.30
INSTITUTIONAL	NAICS	Police Impact Fee (\$)	Admin. Fee (3%) (\$)	Total Impact Fees (\$)
Church/religious organization	8131	157.51	4.73	162.24
Civic or social organization	8134	315.31	9.46	324.77
Crisis center	6242	824.81	24.74	849.55
Hospital	622	1025.15	30.75	1055.90
Nursing home/ assisted living	623	1488.59	44.66	1533.25
Recreational community center	--	630.63	18.92	649.55
School, general education	61111	315.31	9.46	324.77
School, business	6114	733.30	22.00	755.30

INSTITUTIONAL	NAICS	Police Impact Fee (\$)	Admin. Fee (3%) (\$)	Total Impact Fees (\$)
School, technical/trade	6115	513.31	15.40	528.71
School, cosmetology/barber	611511	733.30	22.00	755.30
School, fine arts	61161	733.30	22.00	755.30
Rooming or boarding house	7213	1692.45	50.77	1743.22

1. If a building permit is requested for mixed uses, then the fee shall be determined through using the above schedule by apportioning the space committed to uses specified on the schedule.
2. In the case of change of use, redevelopment, or expansion or modification of an existing use which requires the issuance of a building permit, the development impact fee shall be based upon the net positive increase in the development impact fee for the new use as compared to the previous use.

SECTION II.

Section 10(C) of Ordinance No. O-20-06, which reads as follows, is hereby amended by eliminating it in its entirety.

~~C. There is hereby established one (1) fire facilities development impact fee Trust Fund for the fire service development impact fee Service Area established by Section 9 of this ordinance.~~

SECTION III.

Section 11(C) of Ordinance No. O-20-06 is hereby amended by eliminating it in its entirety.

~~C. Funds collected from fire facilities development impact fees shall be used solely for the purpose of acquiring and/or making capital improvements to fire facilities under the jurisdiction of the City of Hoschton, and related expenses as permitted by the Georgia Development Impact Fee Act, and shall not be used for maintenance or operations.~~

SECTION IV.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION V.

If any portion of this ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

SECTION VI.

The effective date of this ordinance shall be its date of adoption.

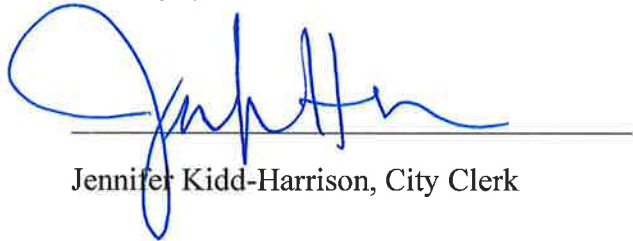
SO ORDAINED, this the 15th day of May, 2023.



Lauren O'Leary, Mayor

This is to certify that I am City Clerk of the City of Hoschton. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:


Jennifer Kidd-Harrison, City Clerk

APPROVED AS TO FORM



Abbott S. Hayes, Jr., City Attorney