

**AN ORDINANCE OF THE CITY OF STONECREST, GEORGIA,**  
**AMENDING CHAPTER 15 – BUSINESS LICENSES**  
**TO ADD ARTICLES VII, XI, XIII, and XVIII.**

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4 **WHEREAS,** the Georgia Revenue and Taxation Code (O.C.G.A. § 48-13-1 et al.) regulates  
5 Specific, Business, and Occupation Taxes in the State of Georgia; and  
6

7 **WHEREAS,** Pursuant to Section 1.03(b)(4) of the Charter of the City of Stonecrest, Georgia,  
8 the City of Stonecrest (the “City”) has been vested with substantial powers, rights,  
9 and functions to levy and provide for the collection of regulatory fees and taxes  
10 on privileges, occupations, trades, and professions as authorized by the Georgia  
11 Revenue and Taxation Code; and  
12

13 **WHEREAS,** Pursuant to Section 1.03(b)(12) of the Charter of the City of Stonecrest, Georgia,  
14 the City of Stonecrest (the “City”) has been vested with substantial powers, rights,  
15 and functions to define, regulate, and prohibit acts, practice, conducts, or use of  
16 property which is detrimental to the health, safety, and welfare of its citizens; and  
17

18 **WHEREAS,** it is the intent of the Mayor and Counsel, in enacting this ordinance to improve  
19 the safety and welfare of its citizens through the certification and regulation of  
20 certain professions;  
21

22 **WHEREAS,** the City recognizes its constitutional duty to interpret and construe its laws and  
23 ordinances to comply with constitutional requirements as they are announced; and  
24

25 **WHEREAS,** with the passage of any ordinance, the Mayor and City Council accept as binding  
26 the applicability of general principles of criminal and civil law and procedure and  
27 the rights and obligations under the United States and Georgia Constitutions,  
28 Georgia Law, and the Georgia Rules of Civil and Criminal Procedure;  
29

30 **WHEREAS,** it is the intent of the Mayor and Council, in enacting this ordinance, to improve  
31 the quality of life and economic vitality of the City of Stonecrest, Georgia, and to  
32 protect the safety of the general public against certain abusive conduct of persons  
33 engaged in solicitation and vending, by imposing reasonable time, manner, and  
34 place restrictions on solicitation while respecting the constitutional rights of free  
35 speech for all citizens; and  
36

37 **WHEREAS,** the Mayor and City Council hereby find that regulating and/or defining certain  
38 businesses, as set forth both below, will further the goals set forth in the Charter

39 and protect the public health, safety, and welfare of the citizens and visitors of the  
40 City.

41  
42 **THEREFORE**, the Mayor and City Council of the City of Stonecrest, Georgia, hereby ordain as  
43 follows:

44 **Section 1:** The Code of the City of Stonecrest, Georgia, is hereby amended by adding an  
45 **Article VII, that reads as follows:**

46 **ARTICLE VII. - PEDDLERS, DOOR-TO-DOOR SALES AND SIMILAR**  
47 **OCCUPATIONS**

48 **Sec. 15.7.1. - Definition.**

49 *Residence* means and includes every separate living unit occupied for residential purposes  
50 by one or more persons, contained within any type of building or structure.

51 *Canvassing* and/or *Soliciting* means and includes any one or more of the following  
52 activities:

- 53 (a) Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs,  
54 services of any kind, character or description whatever, for any kind of consideration  
55 whatever;
- 56 (b) Seeking to obtain prospective customers for application or purchase of insurance of  
57 any type, kind or publication;
- 58 (c) Seeking to obtain donations or charitable contributions; or
- 59 (d) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and  
60 every other type or kind of publication.

61 **Sec. 15.7.2. – Permit Required.**

62 It shall be unlawful for any person to engage in business as a canvasser or solicitor,  
63 calling on the residences within the incorporated areas of the city for the purpose of soliciting  
64 orders, sales, subscriptions, or business of any kind, without first registering with the City  
65 Manager or his designee and paying the appropriate regulatory fee.

66 **Sec. 15.7.3. - Application.**

- 67 (a) Each registrant shall furnish, on a form developed by the City Manager or his designee,  
68 at least his/her name and permanent address, his/her signature, the name and address of  
69 his/her employer, the nature of products sold or displayed, and the proposed method of  
70 operation within the city. Each registrant shall be fingerprinted and photographed by the  
71 City Manager or his designee.

72 (b) The questionnaire form shall also bear the following statement:

73 "Georgia Code section 16-10-71 provides that a person who makes a lawful oath or  
74 affirmation or who executes a document knowing that it purports to be an  
75 acknowledgment of a lawful oath or affirmation commits the offense of false swearing  
76 when, in any matter or thing other than a judicial proceeding, he knowingly and  
77 willfully makes a false statement."

78 **Sec. 15.7.4. – Regulatory fee.**

79 The City Manager or his designee shall collect a fee of one hundred dollars (\$100.00) for  
80 each registration. Upon approval, a registration card will be issued showing the name of the firm  
81 or corporation and the name of the representative. Such registration shall be valid for ninety (90)  
82 days from the date of issuance. The registration may be renewed during the same calendar year  
83 for an additional ninety-day period without another investigation or additional fees.

84 **Sec. 15.7.5. – Identity Cards.**

85 Each registrant shall be issued an identity card bearing his/her name and photograph, the  
86 company name, and the expiration date of the registration. Each solicitor must carry such identity  
87 card at all times while soliciting or canvassing within the city and shall display such card to each  
88 customer and upon appearance at each residence and/or business establishment canvassed or  
89 solicited.

90 **Sec. 15.7.6. – Hours of operation.**

91 (a) Soliciting or canvassing on the public streets, areas, or parks of the city shall be  
92 conducted only between the hours of 9:00 a.m. and 7:00 p.m.

93 (b) Soliciting or canvassing or calling from house to house within the incorporated areas of  
94 the city shall be conducted only between the hours of 9:00 a.m. and 6:00 p.m.

95 **Sec. 15.7.7. – Restriction on number of persons soliciting.**

96 The number of solicitors or canvassers in the city for any single firm, corporation, or  
97 organization shall not exceed five (5) in number at any one (1) time.

98 **Sec. 15.7.8. – Identification to prospective customers.**

99 Prior to any solicitation of funds within the city, each canvasser or solicitor shall identify the  
100 organization which he represents. Additionally, each canvasser or solicitor must inform each  
101 person solicited of any minimum payment, deposit, or donation required for the acceptance of  
102 any merchandise, wares, goods, or any similar items provided by each canvasser or solicitor  
103 prior to such acceptance by each person solicited.

104 **Sec. 15.7.9. – Fraud, etc..**

105 It shall be unlawful for a canvasser or solicitor to perform any of the following acts:

- 106 (a) Falsely represent, either directly or by implication, that funds being solicited are on  
107 behalf of any person other than the person registered with the City Manager or his  
108 designee;
- 109 (b) Without the express prior permission of an occupant or property owner, to solicit at any  
110 residence, apartment complex, or shopping center, other than areas open to public  
111 parking, where a sign has been posted prohibiting such solicitation;
- 112 (c) To remain on private premises after being asked to leave the premises or to continue  
113 solicitation after being refused upon the public streets, areas, or parks; such action shall  
114 constitute harassment; or
- 115 (d) To solicit or canvass on any private premises upon which is displayed a sign, plaque or  
116 other posting declaring "No Soliciting" or other similar prohibition.

117 **Sec. 15.7.10. - Exceptions.**

- 118 (a) Any person desiring to solicit or canvass upon the public streets, areas, or parks, or call  
119 from house to house within the incorporated areas of the city for the purpose of raising  
120 funds or seeking donations for any religious, charitable, or eleemosynary organization  
121 shall register with and obtain a license from the city.
- 122 (b) Such person on a form developed by the City Manager or his designee, at least:
  - 123 (1) Applicant's name and permanent address;
  - 124 (2) Name, address, and telephone number of the firm, corporation, or organization  
125 represented;
  - 126 (3) Names and addresses of all persons canvassing or soliciting within the city;
  - 127 (4) The nature of any merchandise or goods to be sold or offered for sale in  
128 conjunction with such solicitation; and
  - 129 (5) Proof of tax-exempt status shall be required when registering with City Manager  
130 or his designee.
    - 131 i. The City Manager or his designee shall collect a fee of one dollar (\$1.00)  
132 from each organization to cover costs of processing the license.
    - 133 ii. Each organization shall be issued an identity card bearing the name of  
134 each individual who shall engage in solicitation or canvassing on behalf of  
135 the organization, the organization's name, and the expiration date of the  
136 license. Each applicant does not have to be fingerprinted or photographed.
    - 137 iii. The license shall be valid for ninety (90) days from the date of issuance.

138

139 **Sec. 15.7.11. – License revocation.**

140 Any license issued under this article may be suspended and/or revoked by the Cty  
141 Manager or his designee due to any violation of any ordinance or resolution of the city, county,  
142 or of any state or federal law, or whenever the license holder shall cease to possess the  
143 qualifications and character required in this article for the original application.

144 **Secs. 15.7.12 – Activity not regulated hereby.**

145 This section is not intended to, nor shall it operate to, regulate door-to-door visitation for  
146 the following purposes: political canvassing or religious canvassing, provided that such  
147 canvassing does not include the soliciting of orders, sales, subscriptions or business of any kind.

148 **Sec. 15.7.13. - Penalty.**

149 (a) Any person violating any of the provisions of this article shall, upon conviction or  
150 entering a plea of guilty or nolo contendere in the Stonecrest Municipal Court, shall be  
151 punished pursuant to Chapter 16 of this Code.

152 (b) Continued violation of the provisions of this article may be enjoined by instituting  
153 appropriate proceedings for injunction in a court of competent jurisdiction of this state.  
154 Such actions may be maintained notwithstanding that other adequate remedies at law  
155 may exist. Remedies contained in this article are meant to be cumulative in nature.

156

157 **Section 2:**

158 **The Code of the City of Stonecrest, Georgia, is hereby amended by adding an Article XI,**  
159 **that reads as follows:**

160 **ARTICLE XI. – VEHICLES FOR HIRE**

161 **Sec. 15-11-1. - Definitions.**

162 The following words, terms and phrases, when used in this article, shall have the meanings  
163 ascribed to them in this section, except where the context clearly indicates a different meaning:

164 *Open stand* means locations on the streets of the city that may be used by any taxicab on a  
165 nonexclusive, first-come-first-served basis, and not by private vehicles or other public  
166 conveyances.

167 *Taxicab* means a motor vehicle used to transport passengers for a fee or fare and which is  
168 fitted with a taximeter or other device that is used to compute such fee or fare. Taxicabs shall not  
169 include limousine carriers or ride share drivers as defined in O.C.G.A. § 40-1-90(1) and (3).

170 *Taxicab company* means an entity or person operating a taxicab or providing taxi services as  
171 defined in O.C.G.A. § 40-1-90(5).

172 *Taximeter* means an instrument or device attached to a motor vehicle and designed to  
173 measure the distance traveled by such vehicle, or an instrument or device attached to a motor  
174 vehicle and designed to compute and indicate the fare or fee to be charged to the passenger.

175 **Sec. 15-11-2. - Doing business defined.**

176 Any taxicab company operating a taxicab within the incorporated boundaries of the city  
177 or with an established business relationship with independent contractors operating a taxicab  
178 shall be deemed doing business in the city under this article if such person is picking up  
179 passengers in the city and accepting or soliciting any consideration, charge or fee which is  
180 determined by agreement, by mileage, by the length of time the vehicle is used or by contract for  
181 the use of any motor vehicle or other vehicle designed or used for the purpose of transporting  
182 passengers.

183 **Sec. 15-11.3. - Cruising and use of vehicle stands.**

184 Cruising is defined as moving about the streets of the city for the purpose of picking up  
185 and transporting passengers who have not previously requested such service by telephone or by  
186 personal command. Taxicab companies shall ensure that their drivers use open stands on a  
187 nonexclusive, first-come-first-served basis.

188 **Sec. 15-11-4. - Call jumping.**

189 Taxicab companies under this article shall not participate in nor allow their drivers to  
190 practice call jumping or the act of intercepting a passenger who has requested service from  
191 another company.

192

193 **Sec. 15-11-5. - Schedule of fares.**

- 194 (a) All taxicab companies doing business in the incorporated boundaries of the city shall  
195 charge a schedule of fares as provided in the city fee schedule.
- 196 (b) All taxicab companies permitted under this article shall have the right to charge a charge as  
197 provided in the city fee schedule if the meter is not utilized.
- 198 (c) Taximeters shall be calibrated by the permitted taxicab company to calculate the fares in  
199 accordance with the schedule set forth in this section. The taxi shall have, installed, lead  
200 and wire seals to the taximeter once it is calibrated so that no adjustments, alterations or  
201 replacements may be made to the taximeter that affects in any way its accuracy or  
202 indications.

203 **Sec. 15-11-6. - Temporary fuel surcharge.**

- 204 (a) The City Manager or his designee shall assess fuel prices in the city every three months, the  
205 first assessment to occur immediately after approval of the ordinance from which this  
206 article is derived and again thereafter on November 1, February 1, May 1, and August 1 of  
207 each calendar year and repeating every November 1, February 1, May 1, August 1 and/or  
208 an assessment may be needed based on a sudden increase in gasoline prices between those  
209 dates.
- 210 (b) At the time of the assessment, if the City manager or his designee finds that the price of  
211 fuel in the city exceeds by 20 percent the average price of fuel in the Atlanta metropolitan  
212 area in the preceding year, as published by the American Automobile Association, the City  
213 manager or designee shall be authorized to institute temporary fuel surcharges as set forth  
214 in this article.
- 215 (c) Within ten days of the assessment of fuel prices, if the price exceeds the standards of  
216 subsection (b) of this section, the City Manager or his designee shall notify all taxicab  
217 companies, taxicab drivers, taxicab trade associations, and all other affected persons or  
218 entities operating in the taxicab industry within the city of temporary fuel surcharges that  
219 may be imposed on customers.
- 220 (d) If the City Manager or designee authorizes the assessment of temporary fuel surcharges, all  
221 taxicab companies and drivers shall charge, in addition to the schedule of fares set forth in  
222 section 15-11-5, a fuel surcharge as provided in the city fee schedule.
- 223 (e) No other temporary fuel charges may be assessed against customers and the temporary fuel  
224 surcharges applied only remains in effect until the time of the next periodic fuel price  
225 assessment by the police chief or designee.
- 226 (f) All taxicab drivers must and shall conspicuously display a printed passenger notice on the  
227 taxicab dashboard describing the temporary fuel surcharge.
- 228 (g) The printed notice shall advise passengers that a temporary fuel surcharge will be added to  
229 the metered fare or to the flat rate fare due to increases in gasoline prices in the city and

230 shall advise passengers of the amount of the fee as described in subsection (d) of this  
231 section.  
232



233 **Section 3:**

234 **The Code of the City of Stonecrest, Georgia, is hereby amended by adding an Article XIII,**  
235 **that reads as follows:**

236 **ARTICLE XIII. - MULTIFAMILY RENTAL DWELLINGS**

237 **Sec. 15-13-1. - Definitions.**

238 For the purpose of this article, certain terms and words are defined. Where words have not  
239 been defined, but are defined in Chapter 1, those words shall have the meaning defined therein.  
240 The following words, terms, and phrases, when used in this article, shall have the meanings  
241 ascribed to them as directed below, except where the context clearly indicates a different  
242 meaning:

243 *Certified building inspector* means a person who has been authorized to perform inspections  
244 pursuant to the process established by this article, provided that such person maintains the  
245 qualifications for certification as established by this article.

246 *Compliance certificate* means a certificate, in a form authorized by the City Manager or his  
247 designee, executed by a certified building inspector showing compliance with those minimum  
248 requirements described in the inspection report attached thereto.

249 *Inspection report* means the report attached to the code compliance certificate describing  
250 minimum requirements for inspection of each unit.

251 *Lease* means any written or oral agreement that sets forth any and all conditions concerning  
252 the use and occupancy of multifamily rental dwellings or multifamily rental units.

253 *Multifamily rental dwelling* means any dwelling unit designed for and containing more than  
254 one lodging or dwelling (1) unit, as defined in Chapter 27, Article XI, of the City of Stonecrest  
255 Code of Ordinances, that is leased to a residential tenant or tenants for use as a home, residence,  
256 or sleeping unit. This definition includes, but is not limited to, multifamily dwelling units,  
257 multifamily apartments, duplexes, triplexes, boardinghouses, rooming houses, group homes, and  
258 flats.

259 *Multifamily rental unit* means any one area, room, structure, flat, apartment, or facility of a  
260 multifamily rental dwelling that is leased or available for lease to an occupant.

261 *Occupant* means any person who is a tenant, lessee, or a person residing within a  
262 multifamily rental dwelling or multifamily rental unit.

263 *Owner* means any person, agent, firm, or corporation having a legal or equitable interest in  
264 the premises.

265 *Premises* means any lot or parcel of real property on which exists one or more multifamily  
266 rental dwellings or multifamily rental units.

267 **Sec. 15-13-2.- Certification process, requirements, forms and appeals.**

268 (a) *Process.* The City Manager or his designee shall create the process for certifying building  
269 inspectors, shall establish the requirements and application for becoming a certified building  
270 inspector, and shall administer the process. A nonrefundable administrative fee set by the  
271 city council shall be required to be submitted with all applications to be a certified building  
272 inspector. Persons who have successfully completed the certification process issued by the  
273 City Manager or his designee shall be designated as certified building inspectors authorized  
274 to perform the inspections required by this article.

275 (b) *Compliance certificates and inspection reports.* The City Manager or his designee is  
276 authorized to create the forms for compliance certificates and inspection reports. At a  
277 minimum, inspection reports submitted to the city must contain the certified building  
278 inspector's signature and date of certification. A certified building inspector shall personally  
279 perform the inspections required by this article. The certified building inspector signing the  
280 inspection report and performing the inspection shall not be an employee of, otherwise  
281 related to, or affiliated in any way with any owner or occupant of the multifamily rental  
282 dwelling or multifamily rental dwelling unit being inspected. Failure to have a certified  
283 building inspector personally perform an inspection shall nullify any such compliance  
284 certificate.

285 (c) *Certified building inspectors.*

286 (1) *Minimum requirements.* At a minimum, a certified building inspector shall be a licensed  
287 architect or engineer or shall hold one (1) of the following certifications from the  
288 International Code Council: property maintenance and housing inspector, housing  
289 rehabilitation inspector, building inspector, building plan examiner or commercial  
290 combination inspector.

291 (2) *Denial of certification.* Upon receipt of a complete application to be a certified building  
292 inspector, the City Manager or his designee shall have forty-five (45) days to grant or  
293 deny the application. If denied, the City Manager or his designee shall notify the  
294 applicant in writing of the reason(s) for the denial at the address set forth on the  
295 application.

296 (3) *Revocation of certification.* Upon a certified building inspector's conviction of a violation  
297 of subsection Sec. 15-13-4(c) of this article, or if a certified building inspector no longer  
298 meets the minimum requirements set forth in this article, the City Manager or his  
299 designee shall revoke the authority of that individual to act as a certified building  
300 inspector. The City Manager or his designee shall notify the individual in writing of the  
301 reason(s) for the revocation at the address set forth on the application to be a certified  
302 building inspector.

303 (4) *Appeals.* Any applicant or certified building inspector believes the provisions of this  
304 article have been applied in error may file an appeal therefrom in accordance with Article  
305 XVI of this Chapter.

306 **Sec. 15-13-3. - Inspection, certificate and fee required.**

307 Commencing on January 1, 2019, it shall be unlawful for any owner or agent of an owner to  
308 engage in the leasing of a multi-family rental unit without first possessing a compliance  
309 certificate.

310 (a) *Compliance certificate.* A compliance certificate shall contain the certification of a  
311 certified building inspector that all multifamily rental dwellings and/or multifamily  
312 rental units subject to this article have been inspected within the twelve-month period  
313 immediately preceding the date of certification and are in compliance with applicable  
314 provisions of the Code and the requirements set forth in the code compliance certificate  
315 and inspection report.

316 (1) Commencing on January 1, 2019, all owners of multifamily rental dwellings and/or  
317 multifamily rental units within the incorporated parts of the city that receive  
318 income from four (4) or more such units and meet the requirements of O.C.G.A. §  
319 48-13-5 for having a location or office within the incorporated parts of the city  
320 shall file, simultaneously with their business occupation tax return, code  
321 compliance certificate(s) covering one hundred (100) percent of the owner's  
322 multifamily rental units located within the incorporated parts of the city.

323 (2) After submission of the initial code compliance certificate(s), owners shall submit  
324 code compliance certificates annually with their business occupational tax return.  
325 Each subsequent code compliance certificate shall show an internal and external  
326 inspection of at least twenty (20) percent of the units on a premise and all units on  
327 the premises shall be inspected, at a minimum, every five (5) years. All units  
328 inspected shall be listed individually on the code compliance certificate submitted  
329 by the certified building inspector.

330 (b) *Fee.* A nonrefundable administrative fee set by the city council shall be required to be  
331 submitted with all code compliance certificates.

332 (c) *Inspections and repairs.* Upon initial inspection of multifamily rental dwellings and  
333 multifamily rental units subject to this article, should a certified building inspector  
334 determine that further work is necessary to comply with the minimum standards set  
335 forth in the Code, an acceptable plan shall be submitted to the building official,  
336 outlining the time and scope of work necessary to bring the units into compliance. If the  
337 plan is accepted by the building official as reasonable and justified, an extension of the  
338 time for compliance with this article may be granted for up to six (6) months so that  
339 necessary repairs may be completed. No extension shall be granted if life or safety

340 issues are involved, and none of the units where life or safety issues are involved shall  
341 be leased until brought into compliance with the minimum standards set forth in the  
342 Code. For years subsequent to the initial year, the six (6) month extension for repairs is  
343 not available.

344 (d) *Written record of inspection.* Each owner and certified building inspector shall for a  
345 period of five (5) years from the date of inspection keep a written record of inspection  
346 for each multifamily rental dwelling and/or multifamily rental unit, including the date of  
347 the inspection, items inspected, and all violations, if any, observed. These records shall  
348 be presented to the building official within ten (10) business days after a request is  
349 made in writing to the owner or inspector. Failure to provide these records shall nullify  
350 the compliance certificate for such dwellings or units.

351 (e) *Exemptions.* Provided all other required permits, certificates and/or permissions are  
352 obtained from the city, this section shall not apply to multifamily rental dwellings or  
353 multifamily rental units for a period of five (5) years following issuance of a certificate  
354 of occupancy for such dwelling or unit.

355 **Sec. 15-13-4. - Violations.**

356 (a) No business occupation tax certificate shall be issued to any owner until the owner  
357 provides the city with a code compliance certificate in the form and manner required by  
358 this article.

359 (b) Any person who does anything prohibited or fails to do anything required by this  
360 article, shall upon conviction, be punished as provided by this Code.

361 (c) An owner who knowingly furnishes or participates in furnishing a code compliance  
362 certificate to the city falsely certifying that all multifamily rental dwellings or  
363 multifamily rental units inspected are in compliance with the requirements set forth in  
364 the code compliance certificate shall be guilty of a violation of this article for each  
365 multifamily rental dwelling or multifamily rental unit for which the certification is  
366 shown to be false.

367 (d) A certified building inspector who knowingly furnishes or participates in furnishing an  
368 inspection report containing false information that a multifamily rental dwelling or  
369 multifamily rental unit meets the minimum housing standards of the city as shown by  
370 the inspection report shall be guilty of a violation of this article.

371 **Secs. Sec. 15-13-5 — Sec. 15-13-51. - Reserved.**

372 **Section 4:**

373 **The Code of the City of Stonecrest, Georgia, is hereby amended by adding an Article**  
374 **XVIII, that reads as follows:**

375 **ARTICLE XVIII – SHORT TERM VACATION RENTALS**

376 **15.18.1 – Purpose; intent**

377 The purpose of this article is to protect the public health, safety and general welfare of  
378 individuals and the community at large through the establishment of reasonable regulations for  
379 the use of residential dwelling units as short-term vacation rentals

380 **15.18.2 – Definitions**

381 (a) *Code compliance verification form* is a document executed by a short-term vacation  
382 owner certifying that the short-term vacation unit complies with applicable zoning,  
383 building, health and life safety code provisions. No person shall allow occupancy or  
384 possession of any short-term vacation rental unit if the premises is in violation of any  
385 applicable zoning, building, health or life safety code provisions.

386 (b) *Short-term vacation rental occupants* means guests, tourists, lessees, vacationers or any  
387 other person who, in exchange for compensation, occupy a dwelling unit for lodging for a  
388 period of time not to exceed 30 consecutive days.

389 (c) "Short-term vacation rental" means any dwelling unit, single-family dwelling, multi-  
390 family dwelling unit, two-family dwelling, three-family dwelling, duplex, triplex, urban  
391 single-family dwelling, condominium, townhouse, cottage development, dwelling unit,  
392 and structure used for residential dwelling that permits any portion of the premises or  
393 dwelling unit to be used for the accommodation of transient guests, for a fee, for less  
394 than 30 consecutive days. This is also identified as "STVR".

395 (d) *Short-term vacation rental agent* means a natural person designated by the owner of a  
396 short-term vacation rental on the short-term vacation rental certificate application. Such  
397 person shall be available for and responsive to contact at all times and someone who is  
398 customarily present at a location within the city for purposes of transacting business.

399 **15.18.3 – Application**

400 (a) No person shall rent, lease, or otherwise exchange for compensation all or any portion of a  
401 single-family dwelling as short-term vacation rental, as defined in section 15.18.2, without  
402 first obtaining a business tax certificate from the City Manager or his designee and  
403 complying with the regulations contained in this section. No certificate issued under this  
404 chapter may be transferred or assigned or used by any person other than the one to whom it  
405 is issued, or at any location other than the one for which it is issued.

- 406 (b) Applicants for a business tax certificate shall submit, on an annual basis, a registration for a  
407 short-term vacation rental to the City. The application shall be furnished on a form specified  
408 by the City Manager, accompanied by a non-refundable application fee as established in  
409 15.18.4. Such application should include:
- 410 (1) The complete street address of the STVR;
- 411 (2) Ownership, including the name, address, e-mail and telephone number of each person or  
412 entity with an ownership interest in the property;
- 413 (3) The number of bedrooms, the maximum occupancy and the number and location of off-  
414 street parking spaces on the premises and any off-premises parking applicable;
- 415 (4) The name, address and telephone number of a short-term vacation rental agent or local  
416 emergency contact if applicable; and,
- 417 (5) Any other information that this chapter requires the owner to provide to the city as part  
418 of the registration for a short-term vacation rental. The city manager or his or her  
419 designee shall have the authority to obtain additional information from the applicant as  
420 necessary to achieve the objectives of this chapter.
- 421 (6) The emergency contact number required by section 15.18.5.
- 422 (7) Any other information that this chapter requires the owner to provide to the city as part  
423 of an application for a short-term vacation rental certificate. The city manager or his or  
424 her designee shall have the authority to obtain additional information from the applicant  
425 as necessary to achieve the objectives of this chapter.
- 426 (c) The application form pursuant to this section shall be processed and added to a database to  
427 be kept by the City Manager or his designee listing STVR unit information and any citations  
428 that occur. The city shall notify the owner and agent of any instances that result in a citation  
429 for a code violation or other legal infraction.
- 430
- 431 (d) The owner or agent shall not be relieved of any personal responsibility or personal liability  
432 for noncompliance with any applicable law, rule or regulation pertaining to the use and  
433 occupancy of the single-family dwellings as a short-term vacation rental unit.

434 **15.18.4 – Application Fee/Renewal**  
435

- 436 (a) The short-term vacation rental application shall be accompanied by an initial application fee  
437 and be subject to an annual application fee every January 1 thereafter, as established by the  
438 mayor and city council.
- 439 (1) The 2018 rental application fee shall be \$100.00 per rental unit.

440 (2) The annual application fee thereafter shall be \$100.00 per rental unit. The annual  
441 application fee shall be due January 1 of each year and if not paid within 90 days  
442 thereof shall be subject to delinquency and penalties provisions of Chapter 15, Article  
443 II of the Code of Ordinances for Stonecrest, Georgia, as applicable to occupation  
444 tax/business license provisions. Every person holding a license as specified herein shall  
445 secure that license within 90 days after January 1 of each year, and pay for same as  
446 herein provided.

447 (b) Each property shall be issued a business tax certificate.

448 (c) Failure to apply for a business tax certificate as prescribed by this law will result in a fine  
449 of \$100.00 for each month that the unit continues to operate a valid business tax certificate.

450 (d) The annual application fee is not transferrable and should ownership of a unit change, the  
451 new owner must reapply and remit the application fee.

452 (e) In the event a management company changes, a new application will be required with a fee  
453 of \$25.00 to cover administrative costs.

454 (f) The business tax certificate number shall be included in any advertisement of the STVR.

455 **15.18.5 – Emergency Contact**

456  
457 All STVR units shall be furnished with a telephone that is connected to a landline or similar type  
458 connection, including a voice over internet protocol, in order that 911 dispatch may be able to  
459 readily identify the address and/or location from where the call is made when dialed. STVR  
460 applicants and agents are to work with city staff as to the implementation of such emergency  
461 contact facilities or equipment and, until the appropriate connection for emergency contact is  
462 established, occupancy of the STVR location without the connection is prohibited.

463 **15.18.6 – Compliance**

464 All STVRs are responsible for complying with and remitting the City of Stonecrest's hotel and  
465 motel tax ordinance.

466

467



468 **Section 6:**

- 469 1. It is hereby declared to be the intention of the Mayor and City Council that all sections,  
470 paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their  
471 enactment, believed by the Mayor and City Council to be fully valid, enforceable and  
472 constitutional.  
473
- 474 2. It is hereby declared to be the intention of the Mayor and City Council that, to the  
475 greatest extent allowed by law, each and every section, paragraph, sentence, clause or  
476 phrase of this Ordinance is severable from every other section, paragraph, sentence,  
477 clause or phrase of this Ordinance. It is hereby further declared to be the intention of the  
478 Mayor and City Council that, to the greatest extent allowed by law, no section, paragraph,  
479 sentence, clause or phrase of this Ordinance is mutually dependent upon any other  
480 section, paragraph, sentence, clause or phrase of this Ordinance.  
481
- 482
- 483 3. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance  
484 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise  
485 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is  
486 the express intent of the Mayor and City Council that such invalidity, unconstitutionality,  
487 or unenforceability shall, to the greatest extent allowed by law, not render invalid,  
488 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,  
489 sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed  
490 by law, all remaining phrases, clauses, sentences, paragraphs and sections of the  
491 Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.  
492
- 493 4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith  
494 are hereby expressly repealed.  
495
- 496 5. The within ordinance shall become effective upon its adoption.  
497
- 498 6. The provisions of this Ordinance shall become and be made part of The Code of the City  
499 of Stonecrest, Georgia, and the sections of this Ordinance may be renumbered to  
500 accomplish such intention.  
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STATE OF GEORGIA  
COUNTY OF DEKALB  
CITY OF STONECREST

ORDINANCE 2018- 06-01

505           **SO ORDAINED AND EFFECTIVE** this the \_\_\_\_ day of \_\_\_\_\_, 2018.

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Approved:

\_\_\_\_\_  
Jason Lary, Sr., Mayor

As to form:

\_\_\_\_\_  
City Attorney

Attest:

\_\_\_\_\_  
City Clerk

STATE OF GEORGIA  
COUNTY OF DEKALB  
CITY OF STONECREST

ORDINANCE 2018- 06-01

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SO ORDAINED AND EFFECTIVE this the 18 day of June, 2018.

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Approved:

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Attest:

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Dorenda B James  
City Clerk

Jason Lary, Sr.  
Jason Lary, Sr., Mayor

As to form:

J. L. Kunkel  
City Attorney