

**OXFORD MAYOR AND COUNCIL  
REGULAR SESSION AND ORGANIZATIONAL MEETING  
MONDAY, JANUARY 9, 2023 – 7:00 P.M.  
CITY HALL – 110 W CLARK ST. OXFORD, GA 30054  
A G E N D A**

**1. Call to Order, City Clerk Marcia Brooks**

- a. Oath of Office for Municipal Court Judge Steven A. Hathorn, administered by Marcia Brooks, State of Georgia Notary Public

**2. Organizational Meeting – Judge Steven A. Hathorn presiding.**

- a. Oath of Office for Mayor and Councilmembers continuing to serve:
  - i. David S. Eady – Mayor
  - ii. Erik Oliver – Post 1
  - iii. George Holt – Post 2
  - iv. Laura McCanless – Post 3
  - v. Mike Ready – Post 4
  - vi. Jim Windham – Post 5
  - vii. Jeff Wearing – Post 6
- b. Mayor and Council Appointment and Oath for the Administrative Officers continuing to serve:
  - i. C. David Strickland, PC – City Attorney
  - ii. Cheryl Freeman – Municipal Solicitor
  - iii. Marcia Brooks – City Clerk/Treasurer
  - iv. Mark Anglin – Chief of Police
- c. **\*Mayor Pro-Tem for 2023** – We will need to appoint a new Mayor Pro-Tem for 2023. The list of mayors pro-tem from the past 18 years is attached.

**4. Motion to accept the Agenda for the January 9, 2023 Mayor and Council Regular Meeting.**

**5. CONSENT AGENDA**

- a. \* Minutes of the Work Session November 21, 2022
- b. \*Minutes of the Public Hearing for the Rezoning of 1018 Emory Street December 12, 2022
- c. \*Minutes of the Public Hearing for the Code Amendments December 12, 2022
- d. \* Minutes of the Regular Session December 12, 2022
- e. \* Minutes of the Work Session December 19, 2022
- f. \* Minutes of the Special Called Session December 19, 2022

6. **Mayor's Report** – The January City Council Work Session currently falls on January 16, 2023, which is a holiday in remembrance of Martin Luther King, Jr. This meeting date will need to be moved. Does the Council find it acceptable to move this Work Session meeting date to January 23, 2022 at 6:30 PM?
7. **Citizen Concerns**
8. **Approval of Qualifying Fees for 2023 Municipal Election** – The deadline to set these fees is February 1, 2023. The qualifying fees are determined by Georgia State Law as being 3% of the annual salary for each council post or \$144.00.
9. **Second Read for Ordinances to Amend the City Zoning Code:**
  - a. \*Nonconforming Use (Section 40-575)
  - b. \*Minor Variances (Section 40-712)
  - c. \*Development Permit Requirements (Section 40-841)
  - d. \*Building Permits (Section 40-842).
10. **\*Invoices** – Council will review the city's recently paid invoices over \$1,000
11. **Executive Session**
12. Adjourn

\*Attachments

## **MAYORS PRO-TEM (2005-PRESENT)**

2022 Mike Ready  
2021 George Holt  
2020 Jim Windham  
2019 Jeff Wearing  
2018 Jim Windham  
2017 Mike Ready  
2016 George Holt  
2015 Sarah Davis  
2014 Lyn Pace  
2013 Terry Smith  
2012 David Eady  
2011 Frank Davis  
2010 Sue Dale  
2009 Jim Windham  
2008 George Holt  
2007 Hoyt Oliver  
2006 William Murdy  
2005 Emma Lou Patterson

## **MAYORS (1943-PRESENT)**

2020-Present Mr. David S. Eady  
2008-2019 Mr. Jerry D. Roseberry  
2007 Mr. William H. (Dean) Murdy  
2004-2006 Mr. Donald Ballard  
1995-2003 Mr. Don Turner  
1988-1994 Mr. Jack Porter Atkinson Jr.  
1982-1987 Mr. Fred Taylor  
1980-1981 Mr. Weldon Carson  
1976-1979 Mr. Dial  
1972-1975 Mr. Wiley Allgood  
1958-1971 Mr. Augustus W. (Jack) Jackson  
1953-1957 Mr. Aubra L. Sherwood  
1952 Mr. Barnett  
1951 Mr. Lancaster  
1950 Mr. M.R. Elizer  
1948-1949 Mr. Allgood  
1947 Mr. Thorne  
1943-1946 Mr. E. W. Strozier

**STATE OF GEORGIA  
COUNTY OF NEWTON**

**AN ORDINANCE TO AMEND THE CODE OF THE  
CITY OF OXFORD, CHAPTER 40, ARTICLE IV, NONCONFORMITIES, BY AMENDING  
SECTION 40-525 "NONCONFORMING USE" OF THE CITY OF OXFORD ZONING  
ORDINANCE, TO REPEAL, REVOKE AND SUPERSEDE ALL ORDINANCES IN CONFLICT,  
TO PROVIDE  
FOR SEVERABILITY, TO PROVIDE FOR AN EFFECTIVE DATE,  
AND FOR OTHER LAWFUL PURPOSES**

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**WHEREAS THE COUNCIL OF THE CITY OF OXFORD ORDAINS**, the Constitution of the State of Georgia, effective July 1, 1983, provides in Article IX, Section II, Paragraph IV thereof, that the governing authority of a city may adopt plans and exercise the power of zoning; and

**WHEREAS**, the Oxford City Council desires to continue to promote the health, safety, welfare, morals, convenience, order, and prosperity of the city and its residents; and

**WHEREAS**, the Oxford City Council desires to amend its ordinance governing the regulation of prior nonconforming uses; and

**WHEREAS**, the General Assembly of the State of Georgia enacted the Zoning Procedures Law, OCGA Sec. 36-66-1, *et seq.*, so as to provide procedures for the exercise of zoning powers by cities and counties; and

**WHEREAS**, appropriate public notice and hearing have been accomplished; and

**NOW THEREFORE, THE COUNCIL OF THE CITY OF OXFORD HEREBY ORDAINS**  
as follows:

## Section 1.

(Additions are in ***bold italicized underlined***; deletions are ~~lined out~~.)

### **Sec. 40-575. – Nonconforming Use.**

A nonconforming use may be continued even though such use does not conform with the use provisions of the zoning district in which the use is located, except as otherwise provided in this section.

- (1) *Change of use.* A nonconforming use shall not be changed to another nonconforming use. A change in tenancy or ownership shall not be considered a change to another nonconforming use, provided that the use itself remains unchanged.
- (2) *Discontinuance or abandonment.* A nonconforming use shall not be re-established after discontinuance or abandonment for one year. Vacancy or non-use of the building, regardless of the intent of the owner or tenant, shall constitute discontinuance or abandonment under this subsection. If a business registration is required for the nonconforming use and the business registration pertaining to the use has lapsed for more than six months, the lapse of business registration shall constitute discontinuance.
- (3) *Expansion.* A nonconforming use shall not be expanded, enlarged or extended, in land area or in floor space or volume of space in a building or structure, ~~except for a use which~~ complies unless such use is made to substantially comply with the zoning district in which the use is located.
- (4) ~~Repair~~ Major repair or reconstruction following casualty event. A nonconforming ~~use~~ structure shall not be rebuilt, altered or repaired ~~after damage exceeding 50 percent of its~~ following a casualty event (such as fire, tornado, storm, or fallen tree) if the cost of repairing the damage to the structure exceeds fifty percent (50%) of the total replacement cost for such structure at the time of damage as such cost is determined by the Building Inspector, except for a use which unless (i) the use conforms with the zoning district in which the use is located, and provided such (ii) the rebuilding, alteration or and repair of the nonconforming structure is completed within one year of such damage following such casualty event, and (iii) such structure is not altered in any material manner from the condition existing prior to such casualty event.
- (5) *Significant modification or improvement.* A nonconforming structure shall not be modified, altered or improved if the cost of such modifications, alterations and/or improvements to such nonconforming structure made during a consecutive 12-month period exceeds fifty percent (50%) of the fair market value of such existing structure as of the beginning of such period, unless the entire structure shall be brought into conformance with all applicable ordinances, rules and requirements.

The full text of the City of Oxford Zoning Ordinance, as amended herein, is attached hereto, and made a part hereof, and shall be attached to this Resolution and spread across the minutes of the Oxford City Council.

## Section 2.

All ordinances and resolutions or portions thereof in conflict with this ordinance are repealed to the extent of their conflict.

**Section 3.**

Should any section or provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

**Section 4.**

Pursuant to Sec. 3-206(9)(D), this Ordinance shall be in full force and effect five (5) days after its final passage.

First reading, this 12<sup>th</sup> day of December, 2022.

Second reading and adoption, this \_\_\_\_ day of January, 2023.

**CITY OF OXFORD**

\_\_\_\_\_  
**David S. Eady, Mayor**

\_\_\_\_\_  
**George R. Holt, Council Member**

\_\_\_\_\_  
**Laura McCanless, Council Member**

\_\_\_\_\_  
**Mike Ready, Council Member**

\_\_\_\_\_  
**James H. Windham, Council Member**

\_\_\_\_\_  
**Jeff Wearing, Council Member**

**ATTEST:**

\_\_\_\_\_  
**Marcia Brooks, City Clerk**

{The Seal of the City of Oxford, Georgia}

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**C. David Strickland, City Attorney**

**City of Oxford**  
**Invoices >=\$1,000**  
**Paid December 2022**

VENDOR	DESCRIPTION	AMOUNT
<b>RECURRING CHARGES</b>		
City of Oxford Utilities	October - November 2022 services	1,809.13
Newton County Board of Commissioners	Water Purchased for Resale – November 2022; Invoice #3040	17,528.00
Newton County Board of Commissioners	Landfill Fees, November 2022	1,366.80
Newton County Board of Commissioners	Prisoner housing, October-November 2022 – invoice #32033	1,275.00
Newton County Water & Sewerage Authority	Sewer Treatment Fees, 10/28/2022-11/29/2022	5,374.49
Marcus Jordan	Property tax management services for City of Oxford for 2022 – Invoice #2022-03	1,820.00
Georgia Municipal Association	GMEBS Retirement, December 2022, invoice #432190	5,780.92
Georgia Municipal Association	GMA Telecommunications & ROW Management Service Subscription (January – December 2023)	1,274.00
Georgia Municipal Association	GMEBS Life & Health December 2022 premium – Invoice # 328634	9,733.74
Georgia Municipal Association	GMEBS Life & Health January 2023 premium – Invoice # 330921	15,057.61
Municipal Electric Authority of Georgia (MEAG)	Monthly Electric Purchases for November 2022	91,425.54
Electric Cities of Georgia	Consulting and planning services for December 2022	5,588.00
Southeastern Power Administration (SPA)	SEPA Energy Cost – November 2022 – invoice #B-23-371	3,660.05
IRS	Federal Payroll Taxes, December 2022	16,536.06
Courtware Solutions	Licensing, support and maintenance for Municipal Court case management – November 2022	1,200.00
Latham Home Sanitation	Residential and Commercial Waste Removal Services November 2022	7,372.89

VENDOR	DESCRIPTION	AMOUNT
<b>PURCHASES/CONTRACT LABOR</b>		
C. David Strickland, P.C.	Legal services November 2022	3,000.00
Steven A. Hathorn	Municipal judge services October – December 2022	1,562.50
Freeman Law Firm, LLC	Municipal solicitor services August – November 2022	2,400.00
Mauldin & Jenkins, LLC	FY 2022 audit	10,000.00
Jordan Engineering	Coke Street Trail design, October 2022 – invoice #17657	1,425.00
Emory Oxford Catering	City of Oxford Christmas Dinner 12/15/2022 – Invoice #68285	1,924.00
All Star Automotive	Repairs to vehicle #3 in Police Department – P.O. 14849	1,492.53
Covington Automotive Repair Service	Repairs to white Ford F150 (meter reader truck) – P.O. 14862	1,342.54
Scarborough Tree, Inc.	Removal of oaks with stumps on Collingsworth St. and Wesley St.; removal of 2 oaks on walking path at park – P.O. 14815	6,000.00
Pi-Jon, Inc.	Fuel for Public Works and Police departments, 11/5/2022 – Invoice # A-19490	4,392.13
West Chatham Warning Devices	Interior cargo barrier, panel and steel window bars for Ford Explorer police car – P.O. 14756	1,798.50
Cintas	Uniform services for Public Works Dept. November 2022	1,145.26



STATE OF GEORGIA  
COUNTY OF NEWTON

**AN ORDINANCE TO AMEND THE CODE OF THE  
CITY OF OXFORD, CHAPTER 40, ARTICLE XII, PERMITS AND CERTIFICATES, BY AMENDING  
SECTION 40-841 "DEVELOPMENT PERMIT" OF THE CITY OF OXFORD ZONING ORDINANCE, TO  
REPEAL, REVOKE AND SUPERSEDE ALL ORDINANCES IN CONFLICT, TO PROVIDE  
FOR SEVERABILITY, TO PROVIDE FOR AN EFFECTIVE DATE,  
AND FOR OTHER LAWFUL PURPOSES**

---

**WHEREAS THE COUNCIL OF THE CITY OF OXFORD ORDAINS**, the Constitution of the State of Georgia, effective July 1, 1983, provides in Article IX, Section II, Paragraph IV thereof, that the governing authority of a city may adopt plans and exercise the power of zoning; and

**WHEREAS**, the Oxford City Council desires to continue to promote the health, safety, welfare, morals, convenience, order, and prosperity of the city and its residents; and

**WHEREAS**, the Oxford City Council desires to amend its ordinance governing the regulation and issuance of Development Permits; and

**WHEREAS**, the General Assembly of the State of Georgia enacted the Zoning Procedures Law, OCGA Sec. 36-66-1, *et seq.*, so as to provide procedures for the exercise of zoning powers by cities and counties; and

**WHEREAS**, appropriate public notice and hearing have been accomplished; and

**NOW THEREFORE, THE COUNCIL OF THE CITY OF OXFORD HEREBY ORDAINS** as follows:

## Section 1.

(Additions are in ***bold italicized underlined***; deletions are ~~lined out.~~)

### **Sec. 40-841. – Development Permit.**

- (a) ~~(a)~~ *Required.* A development permit shall be required for any proposed use of lands or buildings, ~~and before any improvement, grading or alteration of lands or buildings commences to indicate and ensure compliance with all provisions of this chapter and other applicable regulations in this Code. Such development activities include~~ (including, but are not limited to, clearing and grubbing, grading or land disturbance, and the construction of such improvements as streets, surface parking areas and drives, stormwater drainage facilities, sidewalks, or other structures permanently placed on or in the property. ~~), and before any improvement, grading or alteration of lands or buildings commences to indicate and ensure compliance with all provisions of this chapter and other applicable regulations in this Code, except for minor improvements described herein. For purposes hereof "minor improvements" include the following and similar routine maintenance and repair items: interior and exterior painting; replacing or installing new floor coverings; repairing or replacing existing windows with new windows; roof shingle repair or replacement; landscaping, including sprinkler system installation or the clearing of trees and brush in connection with normal yard maintenance (not for the purpose of construction or development activities); replacing or installing new cabinets or countertops; replacing or installing new appliances; existing driveway repair or resurfacing; installation or repair of backyard sheds located at least two (2) feet inside the applicable setback line; rear-yard fencing that complies with the fencing requirements of City ordinances; temporary sign installation that complies with the signage requirements of City ordinances; and the repair or replacement of existing HVAC, plumbing, gas, or electric utility systems.~~
- (b) ~~(b)~~ ~~Separate requirements for phased applications.~~ If the tract is to be developed in phases, then a separate development permit shall be required for each phase.
- (c) ~~(c)~~ *Application.* No person shall conduct any land-disturbing or development activity within the City without first applying for and obtaining a development permit from the Zoning Administrator to perform such activity.
- (d) ~~(d)~~ *Application requirements.* Applications shall be made in accordance with application requirements specified by the Zoning Administrator and this section. The application shall be checked for completeness at the time of submission. Incomplete applications will not be processed and will be returned to the applicant. All applications for a development permit shall be made to the Zoning Administrator and shall be accompanied by the following:
- (1) ~~(1)~~ Application on the form furnished by the Zoning Administrator.
  - (2) ~~(2)~~ A fee as established by resolution of the City Council.
  - (3) ~~(3)~~ A copy of the approved preliminary plat, if subdivision is required and preliminary plat approval has been obtained, or an application for preliminary plat approval if required.
  - (4) ~~(4)~~ A sufficient number (as approved by the Zoning Administrator) of sets of plans drawn to scale, signed and stamped by one or more qualified professionals who have authority to produce such plans or portions thereof, with addresses and contact information.
  - (5) ~~(5)~~ Plans requiring or involving stormwater management facilities shall require the submittal of plans containing information specified in the City stormwater management ordinance (article VI of ~~chapter 36~~ chapter 36). Approval of a development permit containing information and requirements of article VI of ~~chapter 36~~ chapter 36 shall constitute approval of the permit required by that chapter.
  - (6) ~~(6)~~ Plans involving land within a floodplain or flood hazard area shall require the submittal of plans containing information specified in the city flood damage prevention ordinance (article II of ~~chapter 14~~ chapter 14). Approval of a development permit containing information and requirements of article II of ~~chapter 14~~ chapter 14 shall constitute approval of the permit required by that chapter.
  - (7) ~~(7)~~ Plans requiring a land disturbance permit shall require the submittal of plans containing information specified in the city soil erosion, sedimentation and pollution control ordinance (article III of ~~chapter 14~~ chapter 14) unless specifically exempted by the Zoning Administrator from the

submission of plans in accordance with the article. Approval of a development permit containing information and requirements of article III of ~~chapter 14~~ chapter 14 shall constitute approval of the permit required by that article, subject to other applicable agency approvals required by the article.

- (8) ~~(8)~~ Plans involving land within a wetland shall require the submittal of plans containing information specified in the city wetlands protection ordinance (article IV of ~~chapter 14~~ chapter 14).
- (9) ~~(9)~~ Plans shall demonstrate compliance as applicable with the city tree ordinance (chapter ~~38~~ 38) as well as Tree Maintenance Guidelines and Standards as applicable.
- (10) ~~(10)~~ For subdivisions or other major developments, Development permit applications shall require the submission of plans and information specified in the city subdivision and land development ordinance (chapter 30) and shall demonstrate compliance therewith.

(e) ~~(e)~~ *Relationship to plat approval.* An application for preliminary plat approval, when required by the subdivision and land development ordinance (chapter 30), may be processed independently of, or in conjunction with, an application for issuance of a development permit. Applicants are cautioned, however, that the preliminary plat approval is discretionary with regard to compliance with the comprehensive plan and design requirements, and therefore, proceeding simultaneously with preliminary plat and development permit applications may result in the revision of engineering plans if the layout of the preliminary plat of the proposed subdivision must be modified.

(f) ~~(f)~~ *Relationship to site and design plan review.* It is anticipated and expected that applicants will proceed more or less simultaneously in pursuing site and design plan approval as required by article XI of this chapter; however, no development permit shall be approved until site and design plan review, if required, is accomplished. A development permit applicant, if not ready to submit architectural details for buildings or structures, may at his discretion divide the site and design plan review application process into a site application and building application, and seek only the site plan portion of the approval process required by article XI of this chapter, which shall be required to issue a development permit.

(g) ~~(g)~~ *Agency and zoning administrator review.* The Zoning Administrator shall forward a copy of the development permit application, including the civil plans and drawings for the project, to other city departments and government agencies or others as appropriate, for their review and comment. The applicant may be required by the Zoning Administrator to secure development approval from other agencies if they are affected by (or have jurisdiction over) the development. Development approval may be required from but is not necessarily limited to the following, as applicable: the City Engineer, the City Street or Public Works Department, the Soil and Water Conservation District with jurisdiction, the county Fire Department, the county Health Department, the county Department of Planning, Development, or Building Inspections, the State Department of Transportation, the State Department of Natural Resources, and the U.S. Army Corps of Engineers.

(h) ~~(h)~~ *Consolidation and submission of comments to applicant.* Upon receipt of comments from other city departments and external agencies as appropriate, the Zoning Administrator shall provide all comments to the applicant for resolution and as appropriate shall indicate on one or more copies of the civil drawings or in writing all comments related to compliance with applicable city regulations and agency requirements. Thereafter, the applicant shall submit revised plans to reflect all such comments.

(i) ~~(i)~~ *Issuance.* All development permits shall be issued by the Planning Commission ~~who shall in.~~ In no case ~~grant~~ shall any development permit be granted for the use, construction or alteration of any land or building if the land or building as proposed to be used, constructed or altered would be in violation of any of the provisions of this chapter or other applicable regulations of the City. The applicant shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all of the comments of reviewing city departments, external agencies, and the Planning Commission. Although review may have been achieved, if another city department or external agency requires approval or a permit, the

owner shall also be responsible for obtaining such approval or permit from all other agencies affected by the project prior to issuance of the development permit by the Planning Commission or Zoning Administrator.

(j) ~~(j)~~ *Denial*. If the development permit is denied, the Planning Commission shall state in writing the reason for the denial and the applicant shall be notified of the denial. A record of all development permits shall be kept on file in the office of the Zoning Administrator which shall be a public record.

(k) *Duration of validity*.

(1) A development permit shall expire two years after its issuance, subject to the following provisions:

a. ~~a.~~ If the work described in any development permit has not been begun within one year from the date of issuance thereof, the permit shall expire; and

b. ~~b.~~ If the work described in any development permit has not been substantially completed within two years of the date of issuance thereof, the permit shall expire.

(2) Application processes shall begin anew for any expired development permit.

(l) *Suspension or revocation*. The development permit may be suspended or revoked by the City, as to all or any portion of the land affected by the permit, upon finding that the holder or his successor in title is not in compliance with the approved development permit or is in violation of any applicable regulations in this Code.

The full text of the City of Oxford Zoning Ordinance, as amended herein, is attached hereto, and made a part hereof, and shall be attached to this Resolution and spread across the minutes of the Oxford City Council.

## **Section 2.**

All ordinances and resolutions or portions thereof in conflict with this ordinance are repealed to the extent of their conflict.

## **Section 3.**

Should any section or provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

## **Section 4.**

Pursuant to Sec. 3-206(9)(D), this Ordinance shall be in full force and effect five (5) days after its final passage.

First reading, this 12<sup>th</sup> day of December, 2022.

Second reading and adoption, this \_\_\_\_ day of January, 2023.

**CITY OF OXFORD**

\_\_\_\_\_  
**David S. Eady, Mayor**

\_\_\_\_\_  
**George R. Holt, Council Member**

\_\_\_\_\_  
**Laura McCanless, Council Member**

\_\_\_\_\_  
**Mike Ready, Council Member**

\_\_\_\_\_  
**James H. Windham, Council Member**

\_\_\_\_\_  
**Jeff Wearing, Council Member**

**ATTEST:**

\_\_\_\_\_  
**Marcia Brooks, City Clerk**

{The Seal of the City of Oxford, Georgia}

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**C. David Strickland, City Attorney**

**STATE OF GEORGIA  
COUNTY OF NEWTON**

**AN ORDINANCE TO AMEND THE CODE OF THE  
CITY OF OXFORD, CHAPTER 40, ARTICLE XII, PERMITS AND CERTIFICATES, BY  
AMENDING SECTION 40-842 "BUILDING PERMIT" OF THE CITY OF OXFORD ZONING  
ORDINANCE, TO REPEAL, REVOKE AND SUPERSEDE ALL ORDINANCES IN CONFLICT,  
TO PROVIDE  
FOR SEVERABILITY, TO PROVIDE FOR AN EFFECTIVE DATE,  
AND FOR OTHER LAWFUL PURPOSES**

---

**WHEREAS THE COUNCIL OF THE CITY OF OXFORD ORDAINS**, the Constitution of the State of Georgia, effective July 1, 1983, provides in Article IX, Section II, Paragraph IV thereof, that the governing authority of a city may adopt plans and exercise the power of zoning; and

**WHEREAS**, the Oxford City Council desires to continue to promote the health, safety, welfare, morals, convenience, order, and prosperity of the city and its residents; and

**WHEREAS**, the Oxford City Council desires to amend its ordinance governing the regulation and issuance of Building Permits; and

**WHEREAS**, the General Assembly of the State of Georgia enacted the Zoning Procedures Law, OCGA Sec. 36-66-1, *et seq.*, so as to provide procedures for the exercise of zoning powers by cities and counties; and

**WHEREAS**, appropriate public notice and hearing have been accomplished; and

**NOW THEREFORE, THE COUNCIL OF THE CITY OF OXFORD HEREBY ORDAINS**  
as follows:

## Section 1.

(Additions are in ***bold italicized underlined***; deletions are ~~lined out~~.)

### **Sec. 40-842. – Building Permit.**

~~(a) — The Building Inspector is hereby authorized to issue building permits in accordance with all provisions of this chapter and relevant chapters of this Code, but only after the Planning Commission has issued a development permit, or if no development permit is required, after a review of the building permit for compliance with the provisions of this chapter and applicable regulations of the City.~~

(~~a~~) No building or other structure shall be erected, moved, extended, occupied, or enlarged, or structurally altered, nor any installation or alteration of electrical, plumbing, water, gas, sewer or other mechanical systems be performed, nor shall a building or structure's use be changed, nor shall any excavation, grading, or filling of any lot for the construction of any building or structure be commenced until the Building Inspector has issued a building permit for such work in conformity with the provisions of this chapter and all applicable building and related codes. ..

(~~b~~) The Building Inspector is hereby authorized to issue building permits in accordance with all provisions of this chapter and relevant chapters of this Code. The Building Inspector shall not issue a building permit for any activity requiring a development permit until the Planning Commission has issued the requisite development permit. In order for a building permit to be issued the application therefor must be in compliance with the provisions of this chapter and applicable regulations of the City, including all applicable building and related codes.

(~~c~~) Approval of a building permit shall require an application to the Building Inspector as specified in the minimum standard codes. If the building permit is denied, the Building Inspector shall state in writing the reason for the denial and the applicant shall be notified of the denial. A record of all building permits shall be kept on file in the office of the Building Inspector.

(~~d~~) Any building permit issued shall become invalid unless the work authorized by it shall have been commenced within 180 days of its date of issue, or if the work authorized by it is suspended or abandoned for a period of six months.

(~~e~~) See section 6-4 for applicable provisions with regard to administration and enforcement of building permits and minimum standard codes, including reference to ~~chapter 1~~ chapter 1 of the International Building Code, which shall govern specific procedures and submission requirements.

The full text of the City of Oxford Zoning Ordinance, as amended herein, is attached hereto, and made a part hereof, and shall be attached to this Resolution and spread across the minutes of the Oxford City Council.

## Section 2.

All ordinances and resolutions or portions thereof in conflict with this ordinance are repealed to the extent of their conflict.

## Section 3.

Should any section or provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

## Section 4.

Pursuant to Sec. 3-206(9)(D), this Ordinance shall be in full force and effect five (5) days after its final passage.

First reading, this 12<sup>th</sup> day of December, 2022.

Second reading and adoption, this \_\_\_\_ day of January, 2023.

**CITY OF OXFORD**

\_\_\_\_\_  
**David S. Eady, Mayor**

\_\_\_\_\_  
**George R. Holt, Council Member**

\_\_\_\_\_  
**Laura McCanless, Council Member**

\_\_\_\_\_  
**Mike Ready, Council Member**

\_\_\_\_\_  
**James H. Windham, Council Member**

\_\_\_\_\_  
**Jeff Wearing, Council Member**

**ATTEST:**

\_\_\_\_\_  
**Marcia Brooks, City Clerk**

**{The Seal of the City of Oxford, Georgia}**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**C. David Strickland, City Attorney**



**STATE OF GEORGIA  
COUNTY OF NEWTON**

**AN ORDINANCE TO AMEND THE CODE OF THE  
CITY OF OXFORD, CHAPTER 40, ARTICLE VIII, VARIANCES, BY AMENDING SECTION 40-  
712 “REFERRAL TO AND RECOMMENDATION BY PLANNING COMMISSION” OF THE  
CITY OF OXFORD ZONING ORDINANCE, TO REPEAL, REVOKE AND SUPERSEDE ALL  
ORDINANCES IN CONFLICT, TO PROVIDE  
FOR SEVERABILITY, TO PROVIDE FOR AN EFFECTIVE DATE,  
AND FOR OTHER LAWFUL PURPOSES**

---

**WHEREAS THE COUNCIL OF THE CITY OF OXFORD ORDAINS**, the Constitution of the State of Georgia, effective July 1, 1983, provides in Article IX, Section II, Paragraph IV thereof, that the governing authority of a city may adopt plans and exercise the power of zoning; and

**WHEREAS**, the Oxford City Council desires to continue to promote the health, safety, welfare, morals, convenience, order, and prosperity of the city and its residents; and

**WHEREAS**, the Oxford City Council desires to amend its ordinance governing the referral to the Oxford Planning Commission, for consideration and recommendations, as to variance applications; and

**WHEREAS**, the General Assembly of the State of Georgia enacted the Zoning Procedures Law, OCGA Sec. 36-66-1, *et seq.*, so as to provide procedures for the exercise of zoning powers by cities and counties; and

**WHEREAS**, appropriate public notice and hearing have been accomplished; and

**NOW THEREFORE, THE COUNCIL OF THE CITY OF OXFORD HEREBY ORDAINS**  
as follows:

## Section 1.

(Additions are in ***bold italicized underlined***; deletions are ~~lined out~~.)

### **Sec. 40-712. – Referral to and Action by Planning Commission.**

Upon receipt of a completed application for variance or within a reasonable time thereafter, the Zoning Administrator shall refer the application to the City Planning Commission. The meeting at which the Planning Commission considers the application shall be open to the public, but the Planning Commission meeting shall not be required to be an advertised public hearing and the Planning Commission shall not be obligated to but may hold a public hearing on the application.

#### Major Variance:

The Planning Commission shall make a recommendation on the application for variance within 30 days of the meeting it is first scheduled to consider the application, and its recommendation shall be submitted to the City Council. The Planning Commission may submit any additional report it deems appropriate. The applicant will be notified in writing by the Zoning Administrator of the recommendation within seven working days of the decision. The recommendation and any report shall upon publication be available upon request to the public. The recommendation of the Planning Commission shall have an advisory effect only and shall not be binding on the City Council.

#### Minor Variance:

The Planning Commission may grant a minor variance for the development activity on a lot in individual cases where strict application of the development standards for the district in which the lot is located would result in practical difficulties to, or undue hardship upon, the property owner for reason of narrowness, shallowness, shape, topographic conditions or other conditions of the lot or the location of the existing principal building on the lot. The authority to grant minor variances shall be limited to variances from the following requirements:

1. In the case of Minimum Lot width at Building Line, the variance is limited to reducing the required width by no more than 10% of the minimum requirement for the district in which the lot is located (e.g. if the required width is 100 feet, the width requirement for the lot may not be reduced to less than 90 feet).
2. In the case of Minimum Setback from Side Lot Lines, the variance is limited to reducing the required setback by no more than 20% (e.g. if the required setback is 10 feet, the minimum setback may not be reduced to less than 8 feet).
3. In the case of Minimum Setback from Rear Lot Lines, the variance is limited to reducing the required setback by no more than 20% (e.g. if the required

setback is 30 feet, the minimum setback may not be reduced to less than 24 feet).

Pursuant to Section 105 of the Oxford Building Ordinance, all applications for development permits are reviewed by the Planning Commission. In the event the Planning Commission determines that a minor variance should be granted in connection with the issuance of a development permit, the Planning Commission will grant such minor variance at the regular meeting of the Planning Commission where the application for such development permit is reviewed. If the Planning Commission fails to grant a requested minor variance, then the Mayor and Council may take action in lieu of the Planning Commission action.

The full text of the City of Oxford Zoning Ordinance, as amended herein, is attached hereto, and made a part hereof, and shall be attached to this Resolution and spread across the minutes of the Oxford City Council.

**Section 2.**

All ordinances and resolutions or portions thereof in conflict with this ordinance are repealed to the extent of their conflict.

**Section 3.**

Should any section or provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

**Section 4.**

Pursuant to Sec. 3-206(9)(D), this Ordinance shall be in full force and effect five (5) days after its final passage.

First reading, this 12<sup>th</sup> day of December, 2022.

Second reading and adoption, this \_\_\_\_ day of January, 2023.

**CITY OF OXFORD**

\_\_\_\_\_  
**David S. Eady, Mayor**

\_\_\_\_\_  
**George R. Holt, Council Member**

\_\_\_\_\_  
**Laura McCanless, Council Member**

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**Mike Ready, Council Member**

\_\_\_\_\_  
**James H. Windham, Council Member**

\_\_\_\_\_  
**Jeff Wearing, Council Member**

**ATTEST:**

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**Marcia Brooks, City Clerk**

{The Seal of the City of Oxford, Georgia}

**APPROVED AS TO FORM:**

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**C. David Strickland, City Attorney**