

MINUTES

The Spalding County Board of Commissioners held their Zoning Public Hearing in Room 108 in the Courthouse Annex, Thursday, June 28, 2012, beginning at 6:12 p.m. with Chairman Gwen Flowers-Taylor presiding. Commissioners Raymond Ray, Bob Gilreath, Samuel Gardner and Eddie Freeman were present. Also present were County Manager William P. Wilson Jr., Community Development Director Chad Jacobs and Ex-Officio, County Clerk Ricky L. Clark Jr. Zoning Attorney Newton Galloway was not present.

A. Call to Order.

Note: Persons desiring to speak must sign in for the appropriate application. When called, speakers must state their names and addresses and direct all comments to the Board only. Speakers will be allotted three (3) minutes to speak on their chosen topics and relate to matters pertinent to the jurisdiction of the Board of the Commissioners. No questions will be asked by any of the commissioners during citizen comments. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting.

B. New Business:

1. **Amendment to UDO #A-12-04:** Article 2. General Definitions – Section 202: amend to add definition for Flea Market.

Chad Jacobs, Community Development Director noted that he has received several complaints regarding weekly yards sales that never cease. Mr. Jacobs noted that these yard sales do in fact occur similar to that of a business, Monday thru Friday from 8:00 until 5:00. Mr. Jacobs noted that we have never had language to definitively cite under. Mr. Jacobs has received proof through pictures. This amendment is essentially a definition that states these types of establishments would be cited as a flea market and could face magistrate fines and/or fees.

Commissioner Gardner noted that this amendment would prevent those operating a potential business without legally obtaining a business license.

Chairman Flowers-Taylor questioned the definition of a yard sale. Mr. Jacobs explained that originally different text from other counties were looked which stated that you could only have so many yard sales per year. This text was deemed to be too regulatory. Mr. Jacobs noted that in speaking with Zoning Attorney Newton Galloway, the best route to take was that instead of defining a yard sale to provide a definition of a flea market. Chairman Flowers-Taylor also questioned the City of Griffin's policy. Mr. Jacobs stated that the City got rid of their policy. Chairman Flowers-Taylor concern is that what if someone is not doing a weekly yard sale but in fact only wish to get rid of their stuff; why should they be penalized. Mr. Jacobs noted that this amendment would only be enforced on a complaint driven basis. Previous language had specific time restraints and a definition of a yard sale. The Planning Commission felt that this language would hinder people that in fact are proper in their practices and would also hinder church sales. Planning Commission was not in favor of the first amendment as written.

Commissioner Gilreath questioned how would you enforce this ordinance. Mr. Jacobs again reiterated that this is only enforced on a complaint driven basis. Mr. Wilson noted that there was a violator in Commissioner Ray's district.

Commissioner Ray stated that there are a couple of other issues regarding these weekly yard sales. Mr. Ray alluded to the different concerns of safety due to traffic stopping to view yard sales which could be a public safety concern.

Chairman Flowers-Taylor stated that there should be language added to either state perpetually or consecutive to in fact clear any uncertainties.

Motion/Second by Gardner/Ray to approve Amendment to UDO #A-12-04: Article 2. General Definitions- Section 202: amend to add definition for Flea Market. Motion carried unanimously by all.

C. Other Business:

D. Adjournment

Motion/Second by Freeman/Gardner to adjourn at 6:27 p.m. Motion carried unanimously by all.

Chairman
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County Clerk
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