

ORDINANCE NO. 2023-12

AN ORDINANCE AMENDING ARTICLE III, *RENAMING OR CLOSING STREETS AND ALLEYS*, CHAPTER 86, *STREET, SIDEWALKS, AND PUBLIC PLACES* OF THE CODE OF ORDINANCES OF THE CITY OF VALDOSTA, GEORGIA

BE IT ORDAINED by the Mayor and Council of the City of Valdosta, Georgia, and it is hereby ordained by authority of same, as follows:

Article III, *Renaming or Closing Streets and Alleys*, Chapter 86, *Streets, Sidewalks and Public Places* of the Code of Ordinances of the City of Valdosta, Georgia is replaced in entirety as follows:

Sec. 86-81. Definitions.

Applicant shall mean the individual initiating a road renaming or road closure. Applicants must be a fee simple owner of a parcel abutting the subject street or alley to be renamed or closed.

Affected Parcel Owners shall mean owner[s] of parcels that abut the street or alley being petitioned to be renamed or closed excluding City-owned parcels.

Parcel shall mean a definitive platted lot or other tract of land shown as a tax parcel on the most recent official tax map of Lowndes County, Georgia, and assigned its own unique tax parcel number by the Lowndes County Board of Assessors office.

Petition shall mean a petition which has been signed by sixty (60) percent of Affected Parcel Owners who are in favor of the road or alley renaming or closing.

Reimbursement Fee shall mean fees estimated to reimburse the City for the costs of renaming or closing a public street or alley including, but not limited to, costs for: (1) advertising; (2) signage materials and installation; and (3) certified mail and postage.

Affected Tenants shall mean individuals or entities that may not own the Parcel abutting the street or alley to be renamed but who may reside or have a business on said Parcel. The determination of the number Affected Tenants shall be made by available City records at the time.

Division 1. Street or Alley Renaming.

Sec. 86-82. - Consideration of the renaming of streets and alleys by the mayor and council.

The decision to change the name of a municipal street or alley within the City of Valdosta shall only be considered upon receipt of a completed Petition as described below. The decision to

rename a municipal street or alley shall be made by and in the sole discretion of the City Council of Valdosta.

Sec. 86-83. Procedure for renaming a public street or alley.

- (a) *Pre-submittal meeting required.* An Applicant requesting the renaming of a municipal street or alley, or a portion thereof, shall first schedule an appointment and meet with the City Engineer or his designee to discuss the nature of the request, Reimbursement Fee, the applicable City procedures and requirements, and other items that may be required as part of the submitted request. Following the meeting, the City Engineer or his designee shall provide the amount of the Reimbursement Fee to the Applicant. An application must be submitted to the City containing the following information: (1) the name, signature, address, and contact information of the applicant; (2) the proposed new name of the subject street, alley, or portion thereof; and (3) a justification for the name change request. If the road is proposed to be named after a person or persons, such individual(s) must meet the following criteria: (1) they must be deceased; (2) they must have provided “extraordinary public service or some exemplary contribution” to the public; and (3) they must be associated with the community where the subject street, alley, or portion thereof is located. Prior to the commencement of the petition process detailed in subsection 86-83(b), the Reimbursement Fee must be paid, and a complete application must be provided to the City Engineer or his designee.
- (b) *Submittal of petition.* The City shall send via certified mail a petition information packet to all Affected Parcel Owners and to Affected Tenants. Notice to Affected Tenants shall be satisfied by mailing the petition information packet to the physical location of each Parcel abutting the street or alley to be renamed. To the extent a Parcel has a multi-family or multi-tenant structure on it, the City shall only be responsible for mailing the petition information packet to the office manager or similar position. Affected Parcel Owners and Affected Tenants shall have sixty (60) days from receipt of the packet to provide a response in favor of or against the renaming. Upon determination by the City Engineer that sixty (60) percent of Affected Parcel Owners are in favor of renaming the street or alley, the Petition will be deemed complete, and its formal review and processing will commence. Copies of the Petition and other relevant materials shall then be distributed to City departmental staff and other relevant parties as determined by the City Engineer, for review and comment. The City Engineer or his designee shall then forward a copy of the Petition and other relevant materials to the City Clerk and schedule the request for a public hearing with the Mayor and

Council as properly advertised in accordance with subsection 86-83(c) below. All responses from Affected Tenants shall be aggregated for informational purposes and included along with the Petition.

(c) *Notice of public hearing.* To provide notice of the public hearing for the consideration of the Petition by the Valdosta City Council, the City Engineer, or his designee shall:

- (1) Inform all Affected Parcel Owners via regular mail that the Petition has met the requisite sixty (60) percent threshold to be considered by the Valdosta City Council and provide the date of the public hearing when the Petition will be considered;
- (2) Inform all Affected Tenants via regular mail that the Petition has met the requisite sixty (60) percent threshold to be considered by the Valdosta City Council and provide the date of the public hearing when the Petition will be considered;
- (3) Install public hearing signage at either end of the subject street or alley to be renamed at least ten (10) calendar days prior to public hearing;
- (4) Cause a legal notice of the Public Hearing to be published in a newspaper of general circulation within the City a minimum of two (2) separate times at least ten (10) calendar days before the scheduled public hearing before Council.
- (5) Utilize available digital media, including but not limited to the City of Valdosta social media platforms, to provide notice of the public hearing at least ten (10) days prior to public hearing.

All notices shall contain the date, time and place of the public hearing, a location description of the street, alley, or portion thereof to be renamed, and both the existing and proposed names. After the advertisement requirements have been met, the proposed street renaming will be placed upon the Mayor/Council meeting agenda for approval or denial.

(d) *Conduct of the public hearing.* The public hearing shall begin with a report from the City Engineer detailing the Petition process and any concerns of City staff. Both proponents and opponents of the Petition shall be provided equal opportunity to speak in favor or opposition. The mayor may limit the presentation of those for and against a petition to a reasonable length of time, but not less than ten (10) minutes per side.

(e) *Criteria and timing of decision.* Renaming of a municipal street or alley shall be in the sole discretion of Council but with consideration of the following non-exclusive factors; (1) the proposed new street name; (2) fragmentation of the street; (3) unnecessary costs, expenses and trouble to owners and residents; (4) potential confusion in providing essential services

such as emergency response, utility distribution, trash collection, and mail delivery. The Council shall take final action after the conclusion of the public hearing or within thirty (30) days thereof.

- (f) *Post-notification and effective date of change.* The renaming of any public street or alley shall not become effective until at least ninety (90) calendar days after final action or as otherwise stipulated by Council. Within fifteen (15) calendar days of final action, official notification of an approved renaming of a street or alley shall be sent regular mail by the City Clerk to Affected Parcel Owners and Affected Tenants. The City Clerk shall also send official notification of the approved name change and its effective date to all applicable governmental entities.
- (g) *Declination by Council.* If the Council declines to rename the street or alley, or if the Petition is abandoned by the Applicant, the Applicant shall be reimbursed the unutilized portion of the Reimbursement Fee within thirty (30) days of declination or Petition abandonment. The City shall not be responsible for the redistribution of monies fundraised to cover the Reimbursement Fee. Re-applications for the changing of a specific street or alley name shall not be considered for a period not to exceed one (1) year following petition abandonment or declination by City Council.

Division II. Street or Alley Closure.

Sec. 86-84. - Consideration of the closing of streets and alleys.

The City shall consider the closing of a municipal public street or alley within the corporate limits of the City of Valdosta only upon receipt of a completed Petition as described below. The decision to close a municipal street or alley shall be made by the City Council of Valdosta upon the determination that said street or alley has ceased to be used by the public to the extent that no substantial public purpose is served by it or that its removal from the municipal street system is otherwise in the best public interest.

Sec. 86-85. - Procedure for closing a public street or alley.

- (a) *Pre-submittal meeting required.* An Applicant requesting the closing of a municipal street or alley, or a portion thereof, shall first schedule an appointment and meet with the City Engineer or his designee to discuss the nature of the request, responsibility for payment of Reimbursement Fee, the applicable City procedures and requirements, and other items that may be required as part of the submitted request. Following the meeting, the City Engineer or his designee shall provide a summary of the Reimbursement Fee to the Applicant for their

consideration. Prior to the commencement of the petition process detailed in subsection 86-85(b), the Reimbursement Fee must be paid, and a complete application must be provided to the City Engineer or his designee.

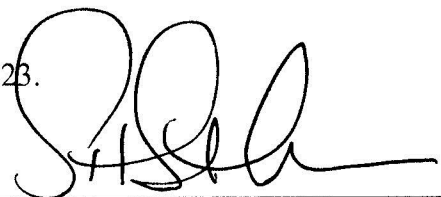
- (b) *Submittal of petition.* The City shall send via certified mail a petition information packet to all Affected Parcel Owners to request whether they are in favor of or opposed to the closing of the street or alley. Affected Parcel Owners shall have sixty (60) days from receipt of the packet to provide a response in favor of or against the closing. Upon determination by the City Engineer that sixty (60) percent of Affected Parcel Owners are in favor of closing the street or alley, the Petition will be deemed complete, and its formal review and processing will commence. Copies of the Petition and other relevant materials shall then be distributed to City departmental staff and other relevant parties as determined by the City Engineer, for review and comment. The City Engineer or his designee shall then forward a copy of the Petition and other relevant materials to the City Clerk and schedule the request for a public hearing with the Mayor and Council as properly advertised in accordance with subsection 86-85(c) below.
- (c) *Notice of public hearing.* To provide notice of the public hearing for the consideration of the Petition by the Valdosta City Council, the City Engineer, or his designee shall:
 - (1) Inform all Affected Parcel Owners via certified mail that the Petition has met the requisite sixty (60) percent threshold to be considered by the Valdosta City Council and provide the date of the public hearing when the Petition will be considered;
 - (2) Install public hearing signage at either end of the subject street or alley to be closed at least ten (10) days prior to public hearing;
 - (3) Cause a legal notice of the Public Hearing to be published in a newspaper of general circulation within the City a minimum of two (2) separate times at least ten (10) calendar days before the scheduled public hearing before Council.
 - (4) Utilize available digital media, including but not limited to the City of Valdosta social media platforms, to provide notice of the public hearing at least ten (10) days prior to public hearing.

All notices shall contain the date, time and place of the public hearing, a location description of the street, alley, or portion thereof to be closed. After the advertisement requirements have been met, the proposed street closing will be placed upon the Mayor/Council meeting

agenda for approval or denial.

- (d) *Conduct of the public hearing.* The public hearing shall begin with a report from the City Engineer detailing the Petition process and any concerns of City staff. Both proponents and opponents of the Petition shall be provided equal opportunity to speak in favor or opposition. The Mayor may limit the presentation of those for and against a Petition to a reasonable length of time, but not less than ten (10) minutes per side.
- (e) *Criteria and timing of decision.* Closures of municipal streets and alleys shall only be made upon the determination that said street or alley has ceased to be used by the public to the extent that no substantial public purpose is served by it or that its removal from the municipal street system is otherwise in the best public interest. The closure cannot result in a Parcel having no public right of way to provide egress and ingress to said Parcel. The Council shall take final action after the conclusion of the public hearing.
- (f) *Post-notification and effective date of change.* The closing of any public street or alley shall become effective thirty (30) days after final action or as otherwise stipulated by Council at the time of final action. Within seven (7) calendar days of final action, official notification of an approved closing of a street or alley shall be sent regular mail by the city clerk to the owner of each parcel of land abutting the street or alley portion that was closed.
- (g) *Transfer of ownership.* Unless otherwise stipulated by Council, the closure of a municipal street or alley shall result in the transfer of ownership of said street or alley in accordance with O.C.G.A. §32-7-4, O.C.G.A. §36-37-6 and/or applicable law. The costs of the transfer shall be borne by the grantee[s] unless otherwise required by law. Additionally, if the public street or alley is also vacated by the mayor and council and resulting in a transfer of ownership and realignment of property boundaries, then such action shall also result in compliance with the subdivision re-platting requirements of the City's Land Development Regulations (LDR).

SO ORDAINED, this 25th day of May, 2023.



Mayor, City of Valdosta

ATTEST:



Clerk of Council