

## **ORDINANCE NO. 2019-2**

### **AN ORDINANCE AMENDING CHAPTER 86 - STREETS SIDEWALKS, AND PUBLIC PLACES, ARTICLE III - CLOSURE, NAME CHANGE OF STREETS AND ALLEYS OF THE CODE OF ORDINANCES FOR THE CITY OF VALDOSTA**

**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 - Closure, Name Change of Streets and Alleys** of the Code of Ordinances of the City of Valdosta is hereby amended striking it in its entirety and substituting in lieu thereof new Sections to read as follows:

#### **Section 86-81 - Consideration of the renaming of streets and alleys by the Mayor and Council.**

The Mayor and Council shall consider the changing of the name of a municipally owned public street or alley within the corporate limits of the City of Valdosta only upon receipt of an applicant's petition signed by sixty percent (60%) of the owners or verifiable residents of all parcels of land abutting the public street or alley for which a name change is being requested. A parcel is 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. Each abutting parcel of land shall be entitled to only one applicable signature which may come from the owner or a verifiable resident of said property. A verifiable resident is an individual or business entity that resides on the subject parcel via a written lease agreement with the owner, or his/her agent, on both the dates of the submission of the application and submission of the petition. . Upon submission of the petition as provided in Section 86-82(b), a Reimbursement Fee, which shall include a reimbursement to the City for actual costs of renaming a public street or alley including but not limited to costs for (1) advertising; (2) new signs; and (3) installation of new signs.

#### **Section 86-82 - Procedure for renaming a public street or alley.**

- (a) *Pre-Submittal meeting required.* An applicant requesting the Mayor and Council to officially rename a public street or alley, or any portion thereof, shall first schedule an appointment and meet with the City Engineer or his designee to discuss the nature of the request, determination of filing fees, the applicable City procedures and requirements, and other items that may be required as part of the submitted request. A determination shall also be made as to the actual numbers of abutting parcels that are relevant to the request. After this meeting, the applicant shall then have up to ninety (90) calendar days to submit the required petition, on forms provided by the City, to the City Engineer for review and processing.

- (b) *Submittal of Petition.* The applicant shall submit their petition request to the City Engineer or his designee, and this shall include the required filing fees and other required materials as discussed during the pre-submittal meeting described above. The City Engineer or his designee shall have up to fifteen (15) calendar days to determine the completeness and accuracy of the applicant's petition and other submitted materials. The City Engineer or his designee shall verify that the petition contains the actual requisite signatures of sixty (60) percent of the owners or verifiable resident of all parcels of land abutting the petitioned public street or alley. Each abutting parcel of land shall be allowed one signature per parcel. These parcels may represent single family structures, multi-family structures (townhomes, duplexes, condominiums, and apartments), commercial structures, and vacant parcels. Upon determination that the submittal is complete and accurate, the submittal will be deemed as officially accepted 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 sub-section 86-2(C) below.
- (c) *Advertisement.* A legal Notice of Public Hearing shall be placed in a newspaper of general circulation within the City, and shall be published a minimum of two separate times at least ten (10) calendar days before the scheduled public hearing with Mayor and Council. This notice shall contain the date, time and place of the public hearing, a location description of the street or 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) *Post-Notification and Effective Date of Change.* The renaming of any public street or alley by the Mayor and Council shall not become effective until at least ninety (90) calendar days after the approval, or as otherwise stipulated by the Mayor and Council. Within fifteen (15) calendar days of final action by Mayor and Council, official notification of an approved renaming 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. The City Clerk shall also send official notification of the approved name change and its effective date to all applicable governmental entities.
- (e) *Declination by Mayor and Council.* If Mayor and Council declines to rename the street or alley, the applicant shall be reimbursed the Reimbursement Fee within thirty (30) days. The Mayor and Council shall only consider requests for the changing of a specific street or alley name no more than twice per calendar year.

**Section 86-83 - Consideration of the closing of streets and alleys by the Mayor and Council.**

The Mayor and Council shall consider the closing of a municipally owned public street or alley within the corporate limits of the City of Valdosta only upon receipt of an applicant's petition signed by sixty percent (60%) of the owners of all parcels of land abutting the public street or alley for which the closing is being requested. All closures shall be made by Mayor and Council 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.


**Section 86-84 - Procedure for closing a public street or alley.**

- (A) *Pre-Submittal meeting required.* An applicant requesting the Mayor and Council to officially close a public street or alley, or any portion thereof, shall first schedule an appointment and meet with the City Engineer or his designee to discuss the nature of the request, determination of filing fees, the applicable City procedures and requirements, and other items that may be required as part of the submitted request. A determination shall also be made as to the actual numbers of abutting parcels that are relevant to the request. After this meeting, the applicant shall then have up to ninety (90) calendar days to submit the required petition, on forms provided by the City, to the City Engineer for review and processing.
- (B) *Submittal of Petition.* The applicant shall submit their petition request to the City Engineer or his designee, and this shall include the required filing fees and other required materials as discussed during the pre-submittal meeting described above. The City Engineer or his designee shall have up to fifteen (15) calendar days to determine the completeness and accuracy of the applicant's petition and other submitted materials. The City Engineer or his designee shall verify that the petition contains the requisite actual signatures of sixty percent (60%) of the owners of all the parcels of land abutting the petitioned public street or alley. Each abutting parcel of land shall be allowed one signature which represents the owner of said parcel. Upon determination that the submittal is complete and accurate, the submittal will be deemed as officially accepted 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 sub-section 86-3(C) below.
- (C) *Advertisement.* A legal Notice of Public Hearing shall be placed in a newspaper of general circulation within the City and shall be published a minimum of two separate times at least ten (10) calendar days before the scheduled public hearing with Mayor and Council. This notice shall contain the date, time and place of the


public hearing, as well as a description of the street or alley or portion thereof to be closed. At least fifteen (15) calendar days before the date of said scheduled public hearing, an official notification letter containing the same information as the newspaper ad, shall be mailed to the owner of each parcel of land that abuts the subject street or alley or portion thereof, and a Notice of Public Hearing sign shall also be posted at the termini of the subject street or alley as determined by the City Engineer or his designee.

- (D) *Post-Notification and Effective Date of Change.* The closing of any public street or alley by the Mayor and Council shall become immediately effective upon approval, or as otherwise stipulated by the Mayor and Council at the time of final action. Within seven (7) calendar days of final action by Mayor and Council, 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. 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 replatting requirements of the City's Land Development Regulations (LDR).

**SO ORDAINED**, this 21<sup>st</sup> day of February, 2019.

  
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Mayor, City of Valdosta

ATTEST:

  
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Clerk of Council