

**MINUTES OF REGULAR MEETING
COBB COUNTY BOARD OF COMMISSIONERS
NOVEMBER 12, 2025
9:00 AM**

The Regular Meeting of the Cobb County Board of Commissioners was held at 9:00 a.m., on Wednesday, November 12, 2025, at the David Hankerson Building, 100 Cherokee Street, Marietta, Georgia, in the Board of Commissioners Meeting Room. Present and comprising a quorum of the Board were:

Chairwoman Lisa Cupid – left the meeting at 9:22 a.m.
Commissioner Erick Allen
Vice Chair JoAnn Birrell
Commissioner Keli Gambrill
Commissioner Monique Sheffield

CALL TO ORDER

Chairwoman Cupid called the meeting to order at 9:02 a.m.

PRESENTATIONS

1. **To present a proclamation designating November as *National American Indian Heritage Month*.**

Commissioner Birrell presented a proclamation to the National Society of Daughters of the American Revolution American Indians Committee designating November as *National American Indian Heritage Month* in Cobb County.

2. **To present a proclamation designating November 3, 2025 as *Election Hero Day* in Cobb County.**

Chairwoman Cupid presented a proclamation designating November 3, 2025 as *Election Hero Day* in Cobb County.

3. **To recognize the Cobb County PARKS Department for receiving the 2025 GRPA Agency of the Year Award.**

Dr. Jackie McMorris, County Manager and the Board recognized the Cobb County PARKS Department for receiving the 2025 GRPA Agency of the Year Award.

By consensus of the Board the following Regular Tab was moved forward in the Agenda.

ARPA

4. **To approve the reallocation of funds received pursuant to the American Rescue Plan Act of 2021 from the Powers Ferry Road Bridge and Interstate North Parkway Bridge project (AR15), to the CDPH South Cobb Public Health Center – Primary Care, Mental Health and Community Linkages Space project (CI06), in the amount of \$2,750,890.00.**

Motion by Sheffield, second by Birrell, to **approve** the reallocation of funds received pursuant to the American Rescue Plan Act of 2021 from the Powers Ferry Road Bridge and Interstate North Parkway Bridge project (AR15), to the CDPH South Cobb Public Health Center – Primary Care, Mental Health and Community Linkages Space project (CI06), in the amount of \$2,750,890.00; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding will be available with the following transactions within the ARPA Fund:

Decrease Expenditure:	279-050-AR15-8762	Turnkey Construction	\$2,750,890.00
Increase Expenditure:	279-499-CI06-8005	Preliminary Estimates	\$2,750,890.00

VOTE: **ADOPTED 5-0**

5. **To approve an additional appropriation of funds received pursuant to the American Rescue Plan Act of 2021, in an amount not to exceed \$206,000.00, for support services projects designed to enhance mental, physical, and behavioral healthcare services.**

Motion by Cupid, second by Birrell, to **approve** an additional appropriation of funds received pursuant to the American Rescue Plan Act of 2021, in an amount not to exceed \$206,000.00, for support services projects designed to enhance mental, physical, and behavioral healthcare services; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the agreement and any other necessary documents for said purpose.

Funding will be available in the ARPA Fund with the following transactions:

Decrease Expenditure:	279-055-ARAD-8820	ARPA Contingency	\$206,000.00
Increase Expenditure:	279-120-SS19-6574	Contributions — Food Distribution	\$100,000.00
Increase Expenditure:	279-120-SS34-6574	Contributions — Food Distribution	\$100,000.00
Increase Expenditure:	279-120-SS50-6574	Contributions — Food Distribution	\$6,000.00

VOTE: **ADOPTED 5-0**

Clerk's Note: Chairwoman Cupid left the meeting at 9:22 a.m. and Vice Chair Birrell led the remainder of the meeting.

PUBLIC HEARING

6. **To conduct the first public hearing on the proposed amendments to Part I Chapters 2 (Administration), 10 (Animals), 18 (Building Regulations), 22 (Cable and Video Service Providers; State Franchise Holders), 50 (Environment), 54 (Fire Prevention and Protection), 83 (Nuisances), 86 (Offenses and Miscellaneous Provisions), 102 (Solid Waste), 106 (Streets, Sidewalks and Other Public Places), 110 (Subdivisions), 114 (Taxation), and 122 (Utilities).**

Jessica Guinn, Community Development Agency Director, and the following staff presented information regarding the recommended amendments to the Cobb County Code and requested the first public hearing to solicit comments on the proposed amendments to Part I Chapters 2 (Administration), 10 (Animals), 18 (Building Regulations), 22 (Cable and Video Service Providers; State Franchise Holders), 50 (Environment), 54 (Fire Prevention and Protection), 83 (Nuisances), 86 (Offenses and Miscellaneous Provisions), 102 (Solid Waste), 106 (Streets, Sidewalks and Other Public Places), 110 (Subdivisions), 114 (Taxation), and 122 (Utilities).

1. Roger Ball, Procurement Services Director - Chapter 2 (Administration)
2. Stephen Hammond, Animal Services Director - Chapter 10 (Animals)
3. Jessica Guinn - Chapter 18 (Building Regulations)
4. Ross Cavitt, Communications Director - Chapter 22 (Cable and Video Service Providers; State Franchise Holders)
5. Debbie Blair, Deputy County Attorney - Chapters 50-258 (Enumeration of prohibited noises) and 114 (Taxation)
6. Nick Dawe, Fire Marshal/Division Chief - Chapter 54 (Fire Prevention and Protection)
7. Ben Cohen, Deputy Police Chief - Chapter 86 (Offenses and Miscellaneous Provisions)
8. Kimberly White, Chief Sustainability Officer - Chapter 102 (Solid Waste)
9. Jonathan Yee, Deputy Director, DOT - Chapter 106 (Streets, Sidewalks and Other Public Places)
10. Judy Jones, Water System Director - Chapters 50 (Environment), 110 (Subdivisions), and 122 (Utilities)

Vice Chair Birrell opened the Public Hearing and asked those wishing to speak to come forward to address the Board. Following eight speakers, the public hearing was closed.

Clerk's Note: Commissioner Gambrill and Commissioner Birrell provided comments to the Clerk from Hampton Lakes HOA Board and the ECCA.

A copy of the information presented is attached and made a part of these minutes.

PUBLIC COMMENT

1. Stacy Efrat addressed the Board regarding Elections.
2. Pieter Friedrich addressed the Board regarding SB 375.
3. Craig Harfoot addressed the Board regarding stormwater.
4. Tiffani Howard addressed the Board regarding loss of senior benefits.
5. Suzie Clark addressed the Board regarding the homeless ordinance.

CONSENT AGENDA

MOTION: Motion by Allen, second by Sheffield, to **approve** the following items on the Consent Agenda, *as revised*; and **authorize** execution of the necessary documents by the appropriate County personnel.

District Attorney

7. **To authorize the acceptance of grant funds from the Criminal Justice Coordinating Council's FY25 Victims of Crime Act Grant to support the District Attorney's Office Family Justice Center.**

To **authorize** the acceptance of grant funds from the Criminal Justice Coordinating Council's FY25 Victims of Crime Act Grant, in the amount of \$179,663.00; **approve** the creation of unit F099, within Fund 270, for the operational period of October 1, 2025, through September 30, 2026; **authorize** transfer of all personnel associated with unit F091, into unit F099; **authorize** the corresponding budget and accounting transactions; **authorize** the District Attorney, or designee, and the Finance Department, or designee, to sign programmatic and finance reports for the Cobb Family Advocacy Center; and **further authorize** the Chairwoman to execute the necessary documents.

Funding will be available with the following budget appropriations:

Increase Revenue:	270-170-F099-4467	CJCC	\$179,663.00
Increase Expenditure:	270-170-F099-6018	Part-Time Salary	\$121,421.34
Increase Expenditure:	270-170-F099-6032	Disability	\$ 257.08
Increase Expenditure:	270-170-F099-6034	FICA	\$ 9,008.06
Increase Expenditure:	270-170-F099-6036	Medical	\$ 18,895.46
Increase Expenditure:	270-170-F099-6038	Life	\$ 278.51
Increase Expenditure:	270-170-F099-6044	Retirement	\$ 26,259.66
Increase Expenditure:	270-170-F099-6045	Defined Contributions	\$ 1,014.94
Increase Expenditure:	270-170-F099-6052	Workers Compensation	\$ 1,906.68
Increase Expenditure:	270-170-F099-6054	Dental	\$ 621.28

Water System

8. **To approve a Restatement Agreement and Supplemental Agreement No. 2 to the unit price contract with Pure Technologies U.S., Inc. dba Wachs Water Services for FY23 UPC for Inspection and Exercising of Water Valves, Program No. FY23WValves-2.**

To **approve** a Restatement Agreement and Supplemental Agreement No. 2 to the unit price contract with Pure Technologies U.S., Inc. dba Wachs Water Services through September 30, 2026, for FY23 UPC for Inspection and Exercising of Water Valves, Program No. FY23WValves-2; and **authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Water System's System Maintenance Water Line-R&M Service FY26 Adopted Operating Budget, Fund 500, Department 500, Unit 5400, Object 6520.

9. **To approve final funding for the work order under the Unit Price Contract for Water, Sewer, and Miscellaneous Services with HD Excavations & Utilities, LLC for Oglesby Road Water Main Relocation, Program No. W2432.**

To **approve** final funding for the work order under the Unit Price Contract for Water, Sewer, and Miscellaneous Services with HD Excavations & Utilities, LLC, a savings to the work order in the amount of \$15,226.50, for Oglesby Road Water Main Relocation, Program No. W2432; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

No additional funding is required for the Water System's Oglesby Road Water Main Relocation, Program No. W2432.

Decrease Encumbrance:

GAE 51009102414	510-500-5754-8260	W2432-C	\$15,226.50
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Transfer from:

Oglesby Road Water Main Relocation

Construction	510-500-5754-8260	W2432-C	\$15,226.50
Materials & Supplies	510-500-5754-8265	W2432-M	\$ 5,000.00
Contingency	510-500-5754-8810	W2432-T	<u>\$ 2,610.00</u>
Total			\$22,836.50

Transfer to:

Unidentified New/Replacement Water Mains

Preliminary Estimates	510-500-5754-8005	W1503-Z	\$22,836.50
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10. **To approve the Purchase and Sale Agreement for the sale of approximately 0.73 acres of vacant property located at 4691 Lindsey Drive, Powder Springs, Georgia, 30127 to Georgia Power.**

To **approve** the Purchase and Sale Agreement for the sale of approximately 0.73 acres of vacant property located at 4691 Lindsey Drive, Powder Springs, Georgia 30127, to Georgia Power Company, in the amount of \$37,000.00; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents and take all other actions necessary or appropriate to accomplish the foregoing purposes.

Funding will be available in the Water & Sewer Renewal Fund with the following transactions:

Increase Revenue:	510-500-5758-4944-SW451-R	Sale of Salvage Property	\$37,000.00
Increase Expenditure:	510-500-5758-8015-SW451-R	Site Acquisition	\$37,000.00

Transportation

11. **To approve the updated List of Roadways to establish speed zones for the posting of speed limits and for the use of speed detection devices.**

To **approve** the updated List of Roadways to establish speed zones for the posting of speed limits and for the use of speed detection devices; and **authorize** the Chairwoman to execute the necessary documents.

Public Services Agency

Library System

12. **To authorize the purchase of replacement office furniture at the Mountain View Regional Library, Powder Springs Library, and West Cobb Regional Library with Carithers-Wallace-Courtenay, Inc.**

To **authorize** the purchase with Carithers-Wallace-Courtenay, Inc., in the amount of \$42,097.76 for furniture and installation at the Mountain View Regional Library, Powder Springs Library, and West Cobb Regional Library; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman or Procurement Director to execute the necessary documents.

Funding will be available with the following transaction:

Decrease Expenditure:	010-080-1800-8852	Library Reserves	\$42,097.76
Increase Expenditure:	010-080-1800-6258	Accountable Items	\$42,097.76

Senior Services

13. To authorize the acceptance of a grant from Georgia State Physical Activity and Nutrition Program to assist with the environmental change strategy of how nutrition education is provided to older adults in Cobb County.

To **authorize** the acceptance of a grant from the Georgia State Physical Activity and Nutrition Program to assist with the environmental change strategy of how nutrition education is provided to older adults in Cobb County; and **further authorize** the corresponding budget transactions.

Increase Revenue:	270-300-G725-4508	Local Grants	\$2,485.00
Increase Expenditure:	270-300-G725-6258	Accountable Equipment	\$2,485.00

Public Safety Agency

Fire and Emergency Services

14. To approve Amendment Number One to the Service Agreement for Premier Service Package for the Cobb County Astro25 Radio Network.

To **approve** Amendment Number One to the Service Agreement for Premier Service Package for the Cobb County Astro25 Radio Network, installation, system optimization, and project management of the Text to Speech and Multi Unit Dispatch updates for Cobb County Fire & Emergency Services not to exceed \$193,231.42; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute any necessary documents.

Funding is available in the FY2026 Fire Budget.

230-130-1000-8820	Undesignated Contingency	\$193,231.42
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15. To authorize the transfer of ownership of certain surplus Hurst equipment to the City of Warner Robins, Georgia.

To **authorize** the transfer of ownership of certain surplus Hurst equipment to the City of Warner Robins, Georgia; and **approve** an agreement with the City of Warner Robins for the transfer of certain surplus Public Safety equipment; and **further authorize** the Chairwoman to execute any necessary documents.

16. **To authorize the creation of a Capital Contingency Fund for various Cobb County Fire & Emergency Services capital improvement projects.**

To **authorize** the creation of a Capital Contingency Fund and transfer of \$22,750,000.00 across two phases to fund various Cobb County Fire & Emergency Services capital improvement projects; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute any necessary documents.

Funding will be available in the Public Facilities Project Fund with the following transactions:

Phase I:

Decrease Expenditure:	230-130-1000-8015	Site Acquisition	\$1,000,000.00
	230-130-1000-8024	Land Improvements	\$ 950.00
	230-130-1000-8110	Renovation of Buildings	\$ 404,234.62
	230-130-1000-8120	Professional Services-Buildings	\$3,824,454.00
	230-130-1000-8125	Construction – New Buildings	\$6,266,824.45
	230-130-1000-8490	Other Machinery & Equipment	\$ 22,134.45
	230-130-1000-8768	Construction – Paving	\$ 49,843.75
	230-130-1000-8820	Undesignated Contingency	\$4,931,558.73
Increase Expenditure:	230-130-1000-6594	Interfund Expense	\$16,500,000.00
Increase Revenue:	380-130-4604-4960	Interfund Revenue	\$16,500,000.00
Increase Expenditure:	380-130-4604-8125	Construction – New Buildings	\$5,000,000.00
	380-130-4604-8435	HVAC	\$ 500,000.00
	380-130-4604-8135	Other Capital – Buildings	\$5,000,000.00
	380-130-4604-8110	Renovation of Buildings	\$5,000,000.00
	380-130-4604-6522	Other R & M	\$1,000,000.00

Phase II:

Decrease Expenditure:	230-130-1000-8820	Undesignated Contingency	\$6,250,000.00
Increase Expenditure:	230-130-1000-6594	Interfund Expense	\$6,250,000.00
Increase Revenue:	380-130-4604-4960	Interfund Revenue	\$6,250,000.00
Increase Expenditure:	380-130-4604-8015	Site Acquisition	\$1,000,000.00
	380-130-4604-8110	Renovation of Buildings	\$ 250,000.00
	380-130-4604-8125	Construction – New Buildings	\$5,000,000.00

17. **To approve a one-year contract with D.H. Pace Company for annual maintenance of automatic pedestrian and overhead doors for Cobb County Fire & Emergency Services' locations.**

To **approve** a one-year contract with D. H. Pace Company, in the amount of \$131,337.00, for annual maintenance of automatic pedestrian and overhead doors at Cobb County Fire & Emergency Services' locations; **authorize** the Chairwoman to execute the necessary documents; and **further authorize** the corresponding budget transactions.

Funding is available in the FY2026 Fire Fund's operating budget:

230-130-1000-6491	Annual Maintenance & Support Contracts	\$131,337.00
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Finance

18. **To adopt a revised Policy Statement for Cobb County, Georgia — Fund Balance, to provide direction to the Cobb County Chief Financial Officer.**

To **adopt** a revised Policy Statement for Cobb County, Georgia — Fund Balance, to provide direction to the Cobb County Chief Financial Officer; and **authorize** the Chairwoman to execute the necessary documents.

19. **To adopt a resolution adopting all budget amendments set forth in agenda items on this date.**

To adopt a resolution adopting all budget amendments set forth in agenda items on this date. A copy of said resolution is attached and made a part of these minutes.

County Clerk

20. **To approve minutes**

To **approve** the minutes from the following meetings:

- 10/27/2025 - Agenda Work Session
- 10/28/2025 - BOC Work Session
- 10/28/2025 - BOC Regular Meeting

CONSENT VOTE: **ADOPTED 4-0**, Chairwoman Cupid not present

REGULAR AGENDA

Transportation

21. To approve a contract with Advanced Sports Construction, LLC for drainage system repairs on Ling Drive, Project No. B22182, Cobb DOT Contract No. 002474.

Motion by Sheffield, second by Allen, to **approve** a contract with Advanced Sports Construction, LLC, in an amount not to exceed \$137,748.00, for drainage system repairs on Ling Drive, Project No. B22182, Cobb DOT Contract No. 002474; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	348-050-B220-B220-8005-B2201-A	Preliminary Estimate	\$107,748.00
Transfer to:	348-050-B220-B220-8762-B22182-C	Turnkey Construction	\$107,748.00

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Drainage System.

Ling Drive is an eligible project/program under the Drainage System Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 14). SPLOST funding for drainage system improvements will provide for the repair and replacement of existing drainage facilities within the county right-of-way.

SPLOST Component Summary as of October 1, 2025: Drainage System

Budget:	\$40,296,492.43	Encumbered/Expended:	\$22,816,274.49
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Available in the Water System DOT Projects – Relocate Lines Adopted CIP Budget, with the following budget transfers:

Transfer from:	DOT Projects - Relocate Lines		
	510-500-5756-8005-W4069-Z	Preliminary Estimate	\$33,500.00
Transfer to:	Cobb DOT Ling Drive Drainage		
	510-500-5756-8260-W5131-C	Construction	\$30,000.00
	510-500-5756-8265-W5131-M	Materials and Supplies	\$ 3,000.00
	510-500-5756-8810-W5131-T	Contingency	<u>\$ 500.00</u>
		Total:	\$33,500.00

VOTE: **ADOPTED 4-0**, Chairwoman Cupid not present

22. To approve a contract with Chatfield Contracting, Inc., for drainage system repairs on Coventry Point, Project No. B2259, Cobb DOT Contract No. 002038.

Motion by Sheffield, second by Allen, to **approve** a contract with Chatfield Contracting, Inc., in an amount not to exceed \$329,798.41, for drainage system repairs on Coventry Point, Project No. B2259, Cobb DOT Contract No. 002038; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	348-050-B220-B220-8005-B2201-A	Preliminary Estimate	\$324,798.41
Transfer to:	348-050-B220-B220-8762-B2259-C	Turnkey Construction	\$324,798.41

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Drainage System.

Coventry Point is an eligible project/program under the Drainage System Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 14). SPLOST funding for drainage system improvements will provide for the repair and replacement of existing drainage facilities within the county right-of-way.

SPLOST Component Summary as of October 1, 2025: Drainage System

Budget:	\$40,296,492.43	Encumbered/Expended:	\$22,816,274.49
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Available in the Water System DOT Projects – Relocate Lines Adopted CIP Budget, with the following budget transfers:

Transfer from:	DOT Projects - Relocate Lines		
	510-500-5756-8005-W4069-Z	Preliminary Estimate	\$6,500.00
Transfer to:	Cobb DOT Coventry Point Drainage		
	510-500-5756-8260-W5133-C	Construction	\$5,000.00
	510-500-5756-8265-W5133-M	Materials and Supplies	\$1,000.00
	510-500-5756-8810-W5133-T	Contingency	\$ 500.00
		Total:	\$6,500.00

VOTE: **ADOPTED 4-0**, Chairwoman Cupid not present

23. **To approve a contract with Backbone Infrastructure, LLC for East-West Connector at Fontaine Road/Cooper Lake Road, Project No. B2308, Cobb DOT Contract No. 002435.**

Motion by Sheffield, second by Allen, to **approve** a contract with Backbone Infrastructure, LLC, in an amount not to exceed \$1,063,693.00, for East-West Connector at Fontaine Road/Cooper Lake Road, Project No. B2308, Cobb DOT Contract No. 002435; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	348-050-B230-B230-8005-B2308-C	Preliminary Estimate	\$1,063,693.00
Transfer to:	348-050-B230-B230-8762-B2308-C	Turnkey Construction	\$1,063,693.00

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Operational and Safety Improvements.

East-West Connector Corridor Improvements is an eligible project/program under the Operational and Safety Improvements Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 15). SPLOST funds will be used to make operational and safety improvements at intersections and corridors throughout the county.

SPLOST Project Summary as of October 1, 2025: East-West Connector Corridor Improvements

Budget:	\$1,819,500.00	Expended:	\$59,162.25
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VOTE: **ADOPTED 4-0**, Chairwoman Cupid not present

24. To approve a contract with Chatfield Contracting, Inc., for drainage system repairs on Banister Place, Project No. B22195, Cobb DOT Contract No. 002477.

Motion by Birrell, second by Sheffield, to **approve** a contract with Chatfield Contracting, Inc., in an amount not to exceed \$178,919.44, for drainage system repairs on Banister Place, Project No. B22195, Cobb DOT Contract No. 002477; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	348-050-B220-B220-8005-B2201-A	Preliminary Estimate	\$168,919.44
Transfer to:	348-050-B220-B220-8762-B22195-C	Turnkey Construction	\$168,919.44

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Drainage System.

Banister Place is an eligible project/program under the Drainage System Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 14). SPLOST funding for drainage system improvements will provide for the repair and replacement of existing drainage facilities within the county right-of-way.

SPLOST Component Summary as of October 1, 2025: Drainage System

Budget:	\$40,296,492.43	Encumbered/Expended:	\$22,816,274.49
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Available in the Water System DOT Projects – Relocate Lines Adopted CIP Budget, with the following budget transfers:

Transfer from:	DOT Projects - Relocate Lines		
	510-500-5756-8005-W4069-Z	Preliminary Estimate	\$11,500.00
Transfer to:	Cobb DOT Banister Place Drainage		
	510-500-5756-8260-W5135-C	Construction	\$10,000.00
	510-500-5756-8265-W5135-M	Materials and Supplies	\$ 1,000.00
	510-500-5756-8810-W5135-T	Contingency	\$ 500.00
		Total:	\$11,500.00

VOTE: **ADOPTED 4-0**, Chairwoman Cupid not present

25. To approve Project No. B2454-TO#1 to the 2025 Master Task Order Contract with Vanasse Hangen Brustlin, Inc., for preliminary engineering design of Barrett Parkway Corridor Traffic Signal Improvements, State P.I. No. 0021201, Cobb DOT Contract No. 002450.

Motion by Gambrell, second by Allen, to **approve** Project No. B2454-TO#1 to the 2025 Master Task Order Contract with Vanasse Hangen Brustlin, Inc., in an amount not to exceed \$499,770.00, for preliminary engineering design of Barrett Parkway Corridor Traffic Signal Improvements, State P.I. No. 0021201, Cobb DOT Contract No. 002450; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	348-050-B240-B240-8005-B2430-A	Preliminary Estimate	\$499,770.00
Transfer to:	348-050-B240-B240-8722-B2454-E	Engineering	\$499,770.00

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Federal/State/Local Match Improvements.

Barrett Parkway Corridor Traffic Signal Improvements is an eligible project/program under the Federal/State/Local Match Improvements Component of the 2022 SPLOST Transportation Improvements pending sufficient Federal, State, or other grant assistance becoming available (2022 Cobb SPLOST Renewal, pp. 1, 21, 23). SPLOST funding for the Federal/State/Local Match Improvements will be used to leverage available matching funds to deliver key operational and safety improvements to the county's transportation system.

SPLOST Project Summary as of October 1, 2025: Barrett Parkway Corridor Traffic Signal Improvements

Budget:	\$2,500.00	Expended:	\$0.00
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Adjusted SPLOST Project Summary, following requested budget transfer:

Adjusted Budget:	\$502,270.00
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VOTE: **ADOPTED 4-0**, Chairwoman Cupid not present

26. **To approve the recommended ranking of the three most qualified firms for preliminary engineering design of Noonday Creek Trail Extension, State P.I. No. 0021199, Cobb County Project No. B2455.**

Motion by Birrell, second by Sheffield, to **approve** the recommended ranking of the three most qualified firms for preliminary engineering design of Noonday Creek Trail Extension, State P.I. No. 0021199, Cobb County Project No. B2455; and **authorize** negotiations for final scope of services and fees beginning with the top-ranked firm, BCC Engineering, LLC d/b/a Heath and Lineback.

VOTE: **ADOPTED 4-0**, Chairwoman Cupid not present

27. **To approve Project No. B2724-TO#1 to the 2025 Master Task Order Contract with American Engineers, Inc., an STV Company, for engineering design of Spring Hill Parkway Sidewalk, Cobb DOT Contract No. 002472.**

Motion by Allen, second by Birrell, to **approve** Project No. B2724-TO#1 to the 2025 Master Task Order Contract with American Engineers, Inc., an STV Company, in an amount not to exceed \$450,472.00, for engineering design of Spring Hill Parkway Sidewalk, Cobb DOT Contract No. 002472; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	348-050-B270-B270-8005-B2720-A	Preliminary Estimate	\$450,472.00
Transfer to:	348-050-B270-B270-8722-B2724-E	Engineering	\$450,472.00

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Sidewalk Improvements.

Spring Hill Parkway Sidewalk is an eligible project/program under the Sidewalk Improvements Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 16). SPLOST funding for sidewalk improvements will provide construction of sidewalks and other pedestrian improvements, including pedestrian bridges, along roadways in the vicinity of schools, activity centers, multimodal facilities, and other congested areas.

SPLOST Project Summary as of October 1, 2025: Spring Hill Parkway Sidewalk (new project as of 11/12/25)

Budget:	\$0.00	Expended:	\$0.00
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Adjusted SPLOST Project Summary, following requested budget transfer:

Adjusted Budget:	\$450,472.00
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VOTE: **ADOPTED 4-0**, Chairwoman Cupid not present

28. **To approve the Second Amendment to the Georgia Transportation Infrastructure Bank Agreement with the State Road and Tollway Authority for Old 41 Highway, Project No. X2609.**

Motion by Gambrill, second by Allen, to **approve** the Second Amendment to the Georgia Transportation Infrastructure Bank Agreement with the State Road and Tollway Authority for Old 41 Highway, Project No. X2609; and **authorize** the Chairwoman to execute the necessary documents.

VOTE: **ADOPTED 4-0**, Chairwoman Cupid not present

Public Safety Agency

911 Emergency Communications

29. **To approve an agreement with Motorola Solutions Inc. for the purchase of Radio Speaker Microphones, utilizing 2016 SPLOST Funding.**

Motion by Birrell, second by Allen, to **approve** the purchase of Radio Speaker Microphones with Motorola Solutions Inc.; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the 2016 SPLOST Program Fund with the following transactions:

Decrease	347-130-X101-8410-X1012-A Radio, TV & Communications Equip.	\$213,297.50
Expenditure:		
Increase	347-130-X101-8410-X1012-O Radio, TV & Communications Equip.	\$213,297.50
Expenditure:		

The 2016 SPLOST, adopted by the Board of Commissioners on July 14, 2014, provides for improvements, and anticipated corresponding budget funding to address the replacement of equipment, is an eligible project under the 2016 SPLOST (Cobb County 2016 SPLOST, Page 27).

2016 SPLOST Summary, Program X1012, 800Mhz Core Replacement as of October 1, 2025:

Current Budget:	\$13,696,492.70
Encumbrances:	\$ 4,280,566.00
Actual Expenditures:	\$ 9,124,466.00
Remaining in Project:	\$ 291,460.70

VOTE: **ADOPTED 4-0**, Chairwoman Cupid not present

PUBLIC COMMENT

1. Steve Cox addressed the Board regarding homeless ordinance.
2. Rutledge Wilson addressed the Noonday Creek Trail.

APPOINTMENTS

30. To approve the reappointment of Troy Refuge to the Board of Tax Assessors.

Motion by Birrell, second by Sheffield, to **approve** the reappointment of Troy Refuge to the Cobb County Board of Tax Assessors for a term to expire on December 31, 2029.

VOTE: **ADOPTED 4-0**, Chairwoman Cupid not present

31. To announce the reappointment of Geraldine Savage Aldridge to the Historic Preservation Commission.

Commissioner Allen announced the reappointment of Geraldine Savage Aldridge to the Historic Preservation Commission for a concurrent term to expire on December 31, 2028.

MOTION TO CONDUCT EXECUTIVE SESSION

Motion by Birrell, second by Allen, to approve the call of an Executive Session to discuss matters which may be discussed in Executive Session.

VOTE: **ADOPTED 4-0**, Chairwoman Cupid not present

ADJOURNMENT

The meeting was adjourned into Executive Session at 11:25 a.m.



Angela Cunningham
Deputy County Clerk
Cobb County Board of Commissioners

2025 Code Amendments

BOARD OF COMMISSIONERS

WORK SESSION

OCTOBER 28, 2025

1

Chapter 2

ADMINISTRATION

2

Reference No.

6

1

Sec. 2-141. – Advertising for bids; bid openings.

- Change Purchasing to Procurement Services
- Add list of exceptions
- Add references to State law

3

Sec. 2-142. – Formal sealed bid limit; Purchases exceeding formal sealed bid limit made by the procurement services department.

- Change Purchasing to Procurement Services
- Change section title to reference formal sealed bid limit
- Define and increase formal sealed bid limit to \$250,000
(in line with State of GA Public Works law)
- Add references to State law

4

Chapter 10

ANIMALS

5

Sec. 10-51. – Membership

This year Atlanta Humane Society acquired/absorbed the Cobb County Humane Society into their organization. Therefore, we have proposed the ordinance be changed to reflect that change. Currently, they are maintaining a shelter in Cobb County with limited resources.

The Cobb County Animal Services Board shall consist of the following: One member of the Atlanta Humane Society of Cobb County board of directors or its designee (post 1); three interested citizens who have interest in domestic animals (posts 2, 3, 4); two veterinarians, at least one of whom shall be a member of the Cobb County Veterinary Medical Society (posts 5, 6); and one citizen chosen by the Chairman or Chairwoman of the Board of Commissioners (post 7). Members of the Animal Services Board shall adopt procedures and policies to govern potential conflicts of interest arising from the responsibilities and duties of their positions.

6

Sec. 10-67. – Period of Impoundment or Confinement

With the increasing numbers of animals entering the shelter system, overcrowding is inevitable. This year we have taken in over 6,200 animals, putting us on track for more than 8,000 animals to enter the shelter this year. Most stray animals entering the shelter have no microchip or other form of identifying the owner. Even though our average length of stay is 12.3 days, well below the national average, we find ourselves beyond our safe capacity most of the year. Therefore, we have proposed the flexibility to alter the impoundment or confinement period during a State of Emergency, as declared by the Board of Commissioners, or periods of overcrowding. This change would give us the ability to reduce hold periods from the current 5 working days to three working days.

Additionally, we have proposed altering the time impoundment or confinement starts from the following day to the current day and time of impoundment. The current system unnecessarily adds up to two additional days to the period of confinement placing other animals in jeopardy of euthanization for space.

7

Sec. 10-67. – Period of Impoundment or Confinement (continued)

All periods specified in this section shall be deemed to commence at ~~12:01 a.m. of the day following the day~~ the time of impoundment or confinement.

Other than those dogs confiscated under sections 10-13(c), 10-97, or 10-121.7, all impounded animals shall be kept at the animal shelter for a period of not less than five working days unless redeemed within such period.

Notwithstanding the provisions of paragraph (b), the CCAS Director is authorized to reduce the period of confinement or impoundment to not less than three working days unless redeemed within such period during:

- a State of Emergency, as declared by the Board of Commissioners, or
- periods of CCAS shelter overcrowding.

For the purposes of this paragraph, overcrowding shall mean when, in the judgment of the Director, the number of animals within the CCAS shelter pose a risk to the health, safety, or welfare of the animals themselves, CCAS staff, or both. The Director's determination as to overcrowding shall be based on factors such as available kennel space, staffing levels, animal well-being indicators, and disease control considerations.

8

Sec. 10-135. – Selling/giving away of animals; use of animals as prizes

During the 2025 legislative period, House Bill 331 (commonly known as the roadside pet sale bill), prohibits the unregulated transfer of pets (dogs, cats, rabbits) in public spaces to include, roadsides, public rights-of-way, public or commercial parking lots, sidewalks, parks, flea markets and other transient or outdoor markets, and outdoor recreational areas. This was codified in state law, but no provision was made to allow non-sworn officers, like our animal services officers, to enforce the provisions. Therefore, we are proposing amending the current section 10-135 to include the provisions of HB 331 so we may enforce via a county ordinance violation. Otherwise only the police departments would be able to enforce the law.

9

Sec. 10-135. – Selling/giving away of animals; use of animals as prizes (continued)

~~Selling or giving away animals in front of or on private property or public property, other than the animal owner's property, without the owner's permission, is prohibited. A licensed rescue group, licensed animal shelter, licensed veterinarian, licensed pet dealer, or licensed humane society which has all required governmental licenses, registrations and has obtained permission from the owner of the business or property, may sell or give away animals on private or public property, including but not limited to: retail stores, businesses, flea markets, yard sales and CCAS property.~~

For purposes of this Code section, the term:

(1) 'Consideration' means anything of value, including, but not limited to, cash, credit, electronic payment, services, or any type of property or interest in property. A transaction shall be deemed to be 'for consideration' if it occurs in connection with any payment of consideration or other commercial transaction, including, but not limited to, a sale, adoption, rehoming, lease, trade, exchange, swap, or barter transaction.

(2) 'Transfer' means a transaction in which for consideration a dog, cat, or domestic rabbit, or any interest in any such animal, is exchanged, offered to be exchanged, or advertised for a commercial purpose.

(b) It shall be unlawful for any person to engage in the transfer of any dog, cat, or domestic rabbit at any roadside, public right of way, parkway, median, public or commercial parking lot or sidewalk, park, recreation area, fair, flea market, or a similar transient market or outdoor location, regardless of whether such activity is otherwise authorized by any person or entity.

10

Sec. 10-135. – Selling/giving away of animals; use of animals as prizes (continued)

(c) This Code section shall not apply to:

(1) The transfer of any dog, cat, or domestic rabbit by a person or entity that has and produces upon request, whether in paper, electronic, or other form, a valid animal shelter license issued by the State;

(2) Any transfer that takes place at a residence or inside of a veterinarian's office or other business establishment;

(3) The transfer of any dog, cat, or domestic rabbit by a paid entrant as part of an event or show sanctioned by a national breed club or association, 4-H program, or similar agricultural exhibition; or

(4) The prearranged transfer between a dog, cat, or domestic rabbit seller and a specific purchaser that takes place at a police department, sheriff's office, or other similar law enforcement facility during daylight hours, unless otherwise prohibited.

(d) A CCAS animal services officer is authorized to enforce the provisions of this Code section and to impound any animal subject to a transfer in violation of this Code section.

(e) A person found guilty of violating this Code section shall be subject to a fine not to exceed:

(1) For the first offense, \$100.00;

(2) For the second offense, \$250.00; and

(3) For a third or subsequent offense, \$500.00.

State Law Reference – Unlawful transfer of certain domestic animals O.C.G.A. § 4-11-10.1

Chapter 18

BUILDING REGULATIONS

Sec. 18-28. Authorization for Technical Assistance in Building Code Compliance

- The Chief Building Official is authorized to require owners to bear the cost of engineering analyses, technical opinions, reports, or other determinations of code compliance as deemed necessary for the design, operation, or use of any building.
- Such reports shall be prepared by qualified professionals acceptable to the Chief Building Official.
- The Chief Building Official may enter into retainer agreements to fix scopes of service and hourly compensation rates for technical assistance providers.
- The costs incurred for this technical assistance shall be collected as part of the permit fee and shall be passed directly through to the applicant.

13

Section 18-301.1. – Swimming Pool Contractor

- No person or entity shall begin construction of a pool or spa without first obtaining a Cobb County permit.
- Cobb County will require all pool contractors to have a general contractors license or an approved pool builder certification to acquire a pool permit.
- The Chief Building Official can approve a pool builder certification.
- Applicants for a pool permit shall submit all necessary documentation.

14

Chapter 22

CABLE AND VIDEO SERVICE PROVIDERS; STATE FRANCHISE
HOLDERS

15

Sec. 22. – New Chapter to codify Cobb County Rights over State Franchised Cable Service Providers and Video Service Providers

- This is the result of the county's largest cable TV provider moving to a state franchise.
- This essentially puts into the county code what was contained in the local franchise agreement.
- Maintains the county's control over the use of the right-of-way by entities providing cable TV and video services.
- The county will continue to receive franchise fees; this will not affect those collections.

16

Chapter 50

ENVIRONMENT

17

Sec. 50-258. – Enumeration of prohibited noises.

Prohibits use of consumer fireworks within 200 yards of a facility housing equines, in accordance with new state legislation

18

Chapter 54

FIRE PREVENTION AND PROTECTION

19

Sec. 54-26. – Established; designated as fire department.

Pursuant to the laws of the state there is hereby established the Cobb County Fire District, referred to in this article as the fire department, which shall provide fire protection to all of the citizens of the unincorporated areas of the county and may provide fire protection to citizens of municipalities in Cobb County through an intergovernmental agreement pursuant its Constitutional amendment. ~~the municipalities of Acworth, Kennesaw and Powder Springs.~~ All other fire districts previously established are hereby merged into the county fire district by the authority of the referendum vote of the citizens of the county held on November 5, 1974, and by this section. References in this chapter to "code", "chapter", or a "code section" herein are to Chapter 54 of the Official Code of Cobb County, Georgia unless otherwise stated.

20

Sec. 54-51. – Life safety certificate of occupancy requirement

(a) This Code section shall apply to the state minimum fire safety standards enforced by the fire marshal's office. This Code section shall not apply to separate certificate of occupancy requirements enforced by the department of community development building department.

(g) ~~Except in assembly, storage and industrial occupancies, where~~ Where there has been no change in the classification of occupancy, substantial renovation (as defined in subsection (i)), reconstruction due to fire or other hazard of serious consequence, renovation or addition but merely a change in owner or a change in business name, and a valid certificate of occupancy has previously been issued for the building, structure, or tenant space, a "Notice of Information Change Form" shall be completed by the new owner and/or occupant and submitted to the Cobb County Fire Marshal's Office. A new certificate of occupancy will not be issued by the fire marshal unless required by the state minimum fire safety standards, and in such case a joint certificate of occupancy or fire-only certificate of occupancy may be issued, if the building, structure or tenant space is located in unincorporated Cobb County or the City of Acworth. A new certificate of occupancy will be issued if the building, structure or tenant space is located in the city limits of Kennesaw or Powder Springs.

21

Sec. 54-51. – Life safety certificate of occupancy requirement (continued 1)

(h) Business owners subleasing a portion of any space with a valid certificate of occupancy shall complete a "Notice of Information Change Form" and submit to the Cobb County Fire Marshal's Office. A new certificate of occupancy will not be issued if the building, structure or tenant space is located in unincorporated Cobb County by the fire marshal unless required by the state minimum fire safety standards, and in such case a joint certificate of occupancy or fire-only certificate of occupancy may be issued, if the building, structure or tenant space is located in unincorporated Cobb County or the City of Acworth. A new certificate of occupancy will be issued if the tenant space is located in the city limits of Kennesaw or Powder Springs.

(i) For the purposes of this Code section, "substantial renovation" means any construction project in which the cost of construction exceeds the structure's assessed value as recorded in the tax assessors' records at the time of renovation. A "fire or other hazard of serious consequence" means any incident or condition, including but not limited to fire, structural damage, environmental contamination, or system failure, that results in conditions requiring a substantial renovation to restore the building or structure to a safe and occupiable condition. substantial renovation means any construction project involving exits or internal features of such building, or any structure costing more than the building's or structure's assessed value according to county tax records at the time of such renovation.

22

Sec. 54-51. – Life safety certificate of occupancy requirement (continued 2)

(j) For purposes of this Code section, renovation means any construction project that involves removing or adding walls, doors, or windows; performing electrical or plumbing work that requires a permit; or making structural modifications or alterations to the building or its systems, and/or adding walls/doors/windows, any electrical or plumbing work requiring a permit or work involving structural components.

Penalties and Enforcement.

(1) Any person or entity that fails to obtain a valid certificate of occupancy from the fire marshal's office prior to occupancy as required under subsection (b) of this code section shall be guilty of an ordinance violation.

(2) Upon ascertaining such a violation, a notice of violation shall be directed to the owner of the property and shall provide a time frame for compliance. The notice issued pursuant to this section may be served upon the party responsible for the violation, either by personal service, mail, or by process server.

Sec. 54-51. – Life safety certificate of occupancy requirement (continued 3)

(3) In the event that the compliance time period passes and the certificate of occupancy has not been obtained, a citation shall issue requiring a court appearance. The maximum penalty for a violation prosecuted in court shall not exceed \$1,000 or imprisonment for up to six months, or both, as authorized by state law.

(4) Any person who shall violate any of the provisions of this article or fail to comply therewith, shall for each and every such violation and noncompliance, respectively, be guilty of an ordinance violation. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue.

(5) The provisions of this subsection (l) shall not apply to: the following occupancies, as defined in subsection (b) of this Code section and classified according to the applicable zoning designation and land use classification established by either Cobb County's Unified Development Code or the zoning ordinance of the respective municipality receiving services from Cobb County Fire & Emergency Services:

- a. One-family and two-family dwellings, including townhouses separated by a two-hour fire wall;
- b. Residences providing in-home day care for five or fewer clients; and
- c. Businesses not open to the public that operate from one-family or two-family dwellings.

Sec. 54-51.1 – Expiration of approval; inactivity; renewal; inspections.

(d) Voided approvals - Appeals for voided approvals shall be made in accordance with section 54-121 of this code ~~article IX of chapter 54.~~

25

Sec. 54-52. – International Fire Code adopted.

The edition of the International Fire Code is adopted ~~under section 54-54; the county further adopts county code~~ including sections 103, 105, 108, 109, 110, and 111 and 112 of chapter 1 of such International Fire Code for administration of such code, unless in conflict with state law or rules promulgated in accordance with state law. In such case, state law or rules promulgated in accordance with state law shall govern.

~~The county further amends section~~ Section 1112.4 ~~amended~~ to read as follows:

Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 1,000 dollars per day.

For purposes of this section, a “stop work order” means an official notice issued by the fire marshal’s office requiring the immediate cessation of any construction activity, change in occupancy of any type, or use of a building, structure, or space that is in violation of applicable fire codes, unsafe conditions, or lacking required permits or approvals as specified in the stop work order.

26

Sec. 54-53. – Reinspection fees

(3) Any disputed fees may be appealed in writing to the fire marshal's office, with final authority resting with the fire marshal. Appeals may be taken to the fire appeals board.

27

Sec. 54-54. – State minimum standards adopted.

The state minimum fire safety standards adopted in the rules and regulations promulgated pursuant to ~~O.C.G.A. tit. 25, ch. 2~~ (O.C.G.A. § 25-2-1 et seq.), including all subsequent revisions thereof, are adopted by reference.

The state minimum fire safety standards shall apply to all structures in unincorporated Cobb County may provide fire protection to citizens of municipalities in Cobb County through intergovernmental agreement, ~~cities of Acworth, Kennesaw, and Powder Springs~~, except for one-family and two-family dwellings.

28

Sec. 54-54.1 – Tanks

- (a) *Scope.*
- (1) ~~Section 54-54.1~~ This code section shall apply to all storage and fuel tanks.
- (2) ~~Section 54-54.1~~ This code section shall not apply to propane containers used exclusively for heating or cooking purposes for detached one- and two-family dwellings, provided the tank capacity does not exceed 1,000 water gallons.
- (3) ~~Section 54-54.1~~ This code section shall not apply to containers of Class I liquids with capacity of less than 25 gallons.
- (4) ~~Section 54-54.1~~ This code section shall not apply to containers of Class II or III liquids with a capacity of less than 60 gallons.
- (5) Liquid classes are defined by NFPA 30 as adopted by code section 54-54, Cobb County Code.
- (6) ~~Section 54-54.1~~ This code section shall not apply to fueling stations permitted by the State fire marshal's office in accordance with Georgia Rules and Regulations, Rule 120-3-11. This code section shall apply in any instance where the State Fire Marshal's Office does not have permitting authority or has not issued a permit.

29

Sec. 54-55. – Enforcement; establishment and duties of bureau of fire prevention; authority of fire marshal.

- (a) ~~The state minimum fire safety standards shall be enforced by the fire marshal in the fire department of the county which is hereby established and which shall be operated under the supervision of the chief of the fire department. The fire marshal shall have the duties of the chief of the bureau of fire prevention. References to the fire marshal shall mean the fire marshal of Cobb County, unless stated otherwise.~~
- (d) ~~The county fire marshal is hereby authorized to enforce the state minimum fire safety standards of the cities of Acworth, Kennesaw, and Powder Springs, being municipalities within this county, and to conduct fire inspections in accordance therewith; provided however, that citations for violations of such municipal codes shall be returnable to the appropriate courts of such municipalities; provided further, that the county fire marshal shall not enforce such municipal codes unless they are and remain substantially similar to the county's state minimum fire safety standards, as amended; and provided further, that the county fire marshal shall not enforce such codes in any of such municipalities unless and until the governing authority of such municipality shall have entered into a written contract with the county pursuant to Ga. Const. art. IX, § II, permitting the county fire marshal to enforce such municipal codes and to conduct fire inspections within such municipality; and to this end, the chairman of the board of commissioners is hereby authorized to affix his signature and seal to any such contract, and to do any and all acts necessary to carry out the intent of this subsection.~~

30

Sec. 54-56. – Definitions in fire prevention code.

(1) Wherever the word “municipality” is used in the International Fire Code, it shall be held to mean the unincorporated areas of the county and municipalities in Cobb County for which the County provides services by intergovernmental agreement ~~the cities of Acworth, Kennesaw, and Powder Springs~~

(7) As of August 1, 2022, the term “Fire Code” means the most recent published edition or the edition referenced by State Fire Marshal ~~or adopted by state law, NFPA 1 The Fire Code or the International Fire Code. Both shall be adopted and if an administrative challenge or code conflict exists, the conflict shall be resolved by the Fire Marshal.~~

31

Sec. 54-59. – Hydrant obstruction and hydrant maintenance

(c) Hydrants other than those owned and/or maintained by Cobb County Water System shall have general maintenance performed annually in accordance with the currently adopted edition of NFPA 25. Maintenance and flow test records shall be maintained on the premises for inspection by the Cobb County Fire Marshal's Office. A weather-resistant tag shall be affixed to each hydrant indicating the date of inspection, the name of the company responsible for the inspection, and the operational status of the hydrant using the following color system: green shall indicate that no deficiencies are present and the hydrant is fully operational; yellow shall indicate that deficiencies were found, but the hydrant remains functional; and red shall indicate that the hydrant is non-operational and will not function as intended. All maintenance shall be performed by a qualified company on file with the Cobb County Fire Marshal's Office.

32

Sec. 54-60. – Fire hydrant installation for existing apartment complexes.

(a) ~~Existing apartment complexes.~~ Apartment complexes in existence as of the effective date of this section shall, at a minimum, be brought into full compliance with fire hydrant locations and flow rates set forth in the state minimum fire safety standards and the ~~Cobb County Development Standards~~ applicable development standards as enforced by Cobb County Fire & Emergency Services.

(b) ~~Time period for submitting site plans.~~ Apartment complexes in existence as of the effective date of this section which are in noncompliance with fire hydrant locations and flow rates set forth in the state minimum fire safety standards and the Cobb County Development Standards must, within one year of the effective date of this section, submit site plans for bringing the complexes into full compliance with the applicable standards to the Cobb County Fire Marshal's Office.

~~(1) With respect to apartment complexes in existence as of the effective date of this article, the fire marshal is authorized to provide notice to the building owner or agent of any apartment complex that is not in compliance with fire hydrant locations and flow rates set forth in the state minimum fire safety standards and the Cobb County Development Standards. Within 60 days of receiving such notice of noncompliance, the building owner or agent of such owner shall file an "Intent to Comply" with the requirements of this section with the Cobb County Fire Marshal's Office. Such notice of intent to comply shall include:~~

~~a. Contact information for the property owner, agent, and any personnel responsible for project compliance;~~

~~b. The property owner's acknowledgement of the need to comply with state minimum fire safety standards and the Cobb County Development Standards within the time set forth in this section;~~

~~c. A statement of the property owner's intention to comply, which should include a projected completion date for the installation of and/or flow rate correction of the fire hydrants; and~~

~~d. The property owner's acknowledgement of the requirement to submit site plans for approval to the Cobb County Fire Marshal's Office no later than one year after the effective date of this article;~~

~~(2) Time period for compliance.~~ Any existing apartment complex that is not in compliance with fire hydrant locations and flow rates set forth in the state minimum fire safety standards and the Cobb County Development Standards shall be required, at a minimum, to bring the apartment complex into full compliance within three years of the effective date of this section.

(b) ~~Flow rates.~~ Where there is substantial documentation that compliance with the minimum flow rates of this section would require overly burdensome steps by a property owner, the fire marshal may deem such hydrants as acceptable or may accept alternatives deemed equivalent for fire safety risk reduction.

33

Sec. 54-87. – Enforcement and penalties.

(b) In addition to any other remedy available, whenever, in the judgment of the fire marshal, any person has engaged in, is currently engaged in, or is about to engage in any act or practice which constitutes or will constitute a violation of this article, the fire marshal may make application, on behalf of the county or municipality, to the superior court for an order enjoining such act or practice or for an order requiring compliance with this article. ~~The certificate issued by the county fire marshal may revoke the permit of any person failing to comply with an order issued pursuant to this subsection shall be revoked upon the date specified in such order.~~

(Ord. of 7-28-87; Code 1977, § 3-13-49; Amd. of 2-26-13)

34

Sec. 54-53. – Powers and duties of fire marshal, delegation of authority.

~~(e) — In the event of any conflict between this code and the state minimum fire safety standards as adopted by the state, the more stringent code shall apply.~~

35

Sec. 54-93. – Fire protection sprinkler systems requirements.

~~(d) All existing hotels, dormitories, and apartment buildings that undergo a substantial renovation, as defined in Section 54-54(i), than the building's or structure's assessed value (according to county tax records) at the time of such renovation, a change in the classification of occupancy, or a fire of serious consequence, shall meet the requirements of this Code.~~

36

Sec. 54-94. – Reserved. Fire protection sprinkler system requirements for hotels and dormitories.

~~(a) — Existing hotels and dormitories. Hotels and dormitories in existence as of the effective date of this article shall, at a minimum, be brought into compliance with sprinkler requirements for new construction set forth in NFPA 101, 2000 edition.~~

~~(1) — With respect to hotels and dormitories in existence as of the effective date of this article, the fire marshal is authorized to provide notice to the building owner or agent of any hotel or dormitory that is not in compliance with NFPA 101, 2000 edition. Within 60 days of receiving such notice of noncompliance, the building owner or agent of such owner shall file an intent to comply with this requirement with the fire marshal. Such notice of intent to comply shall include:~~

~~a. — The property owner's acknowledgement of notice of the need to comply with NFPA 101;~~

~~b. — Contact information for the property owner and any personnel responsible for project compliance;~~

~~c. — A statement of the property owner's intention to comply, which should include a projected completion date for installation of the sprinkler system.~~

~~(b) — Time period for compliance. Any existing hotel or dormitory that is not in compliance with sprinkler requirements for new construction set forth in NFPA 101, 2000 edition, shall be required, at a minimum, to bring the hotel or dormitory into compliance within three years of the effective date of this article.~~

~~(Ord. of 2-27-07)~~

37

Sec. 54-95. – Reserved. Fire protection sprinkler system installation requirements.

~~(a) — Hotels and dormitories. For hotels and dormitories, the following requirements shall apply to the installation of fire protection systems:~~

~~(1) — Before any fire protection system is installed, plans shall be submitted by the contractor installing the sprinkler system to the fire marshal's office, which shall review the plans for compliance with NFPA 13 or 13R standards prior to stamping the plans as "reviewed."~~

~~(2) — NFPA 13 and 13R sprinkler system installers, inspectors, and maintenance personnel shall meet the Rules and Regulations for Enforcement of the Georgia Fire Sprinkler Act, O.C.G.A. § 120-3-19.~~

~~(Ord. of 2-27-07)~~

38

Sec. 54-101. – Fire alarm requirements.

- ~~(c)~~ In the event of any conflict between this Code and the state minimum fire safety standards as adopted by the state, the most stringent code shall apply.
- ~~(d)~~ (c) Only a licensed alarm contractor shall work on a fire alarm system. Effective July 1, 2015, each licensed alarm contractor shall have at least one individual on each job site currently certified by NICET (National Institute for Certification and Engineering Technologies) in fire alarm systems or equivalent as accepted by Georgia Automatic Fire Alarm Association (AFAA), Georgia Electronic Life Safety and Systems Association, and the county fire marshal. Proof of certification shall be kept on the person of the certified individual.
- ~~(e)~~ (d) All work performed on a fire alarm system shall require plans to be submitted to and approved by the fire marshal's office prior to any work being performed. Effective July 1, 2016, all fire alarm plan submittals shall be made only by persons currently certified by NICET (National Institute for Certification and Engineering Technologies) in fire alarm systems or their equivalent as accepted by Georgia Automatic Fire Alarm Association (AFAA), Georgia Electronic Life Safety and Systems Association, and the county fire marshal. Proof of current certification shall be stamped on the plans and/or a copy of the certification shall accompany the submittal.

39

Sec. 54-101. – Fire alarm requirements. (continued)

- ~~(f)~~ (e) Effective July 1, 2016, all documentation submitted to the fire marshal's office shall be completed and signed by persons currently certified by NICET (National Institute for Certification and Engineering Technologies) in fire alarm systems or their equivalent as accepted by Georgia Automatic Fire Alarm Association (AFAA), Georgia Electronic Life Safety and Systems Association, and the county fire marshal. Such documentation shall include, but not be limited to, record of completion forms, inspection testing and maintenance forms, permit applications, etc. Proof of current certification shall accompany the submitted documentation.
- ~~(g)~~ (f) Effective July 1, 2016, all inspection, testing, and maintenance of any alarm system shall be only by persons currently certified by NICET (National Institute for Certification and Engineering Technologies) in fire alarm systems or their equivalent as accepted by Georgia Automatic Fire Alarm Association (AFAA), Georgia Electronic Life Safety and Systems Association, and the county fire marshal.
- ~~(h)~~ (g) Electronic Security Association (ESA) National Training School (NTS) Certified Fire Alarm Technician (CFAT) Level II shall be an approved equivalent for NICET certification.
- (h) All fire alarm systems shall be inspected annually in accordance with the currently adopted edition of NFPA 72. Maintenance records shall be submitted to the Fire Marshal's Office. Submittal of records shall carry a fee as approved by the Cobb County Board of Commissioners. A tag shall be affixed to the fire alarm control panel indicating the date of inspection, the company responsible for the inspection, and the status of the fire alarm system using the following color code: green shall indicate no deficiencies are present; yellow shall indicate deficiencies were found, but the fire alarm system will still function; and red shall indicate that the fire alarm system will not operate at all. All maintenance shall be performed by a licensed fire alarm company.

40

Sec. 54-103. – Enforcement.

(a) Applicable to this section are the state minimum fire safety standards adopted in the rules and regulations promulgated pursuant to ~~O.C.G.A. tit. 25, ch. 2~~ (O.C.G.A. § 25-2-1 et seq.), including all subsequent revisions thereof, hereby adopted by reference. ~~The state minimum fire safety standards apply to all structures in unincorporated Cobb County except for one family and two family dwellings.~~

(b) *Fees for silencing or resetting an alarm without prior approval, or for failing to obtain and submit proof of a required annual fire alarm inspection, shall be assessed as follows:*

41

Sec. 54-114. – Burning prohibitions.

The prohibitions listed in this section ~~54-114~~ are intended to promote and safeguard the public health, safety, comfort, air quality, and living conditions ~~of the citizens of unincorporated Cobb County~~ relative to outdoor burning.

(f) Burning is prohibited on the surface of county, city, or private roads and streets.

42

Sec. 54-118. – Penalties

(1) Persons who violate this article related to unauthorized or noncompliant outdoor burning shall be guilty of an ordinance violation.

(2) Upon ascertaining such a violation, a notice of violation shall be directed to the owner of the property and shall provide a time frame for compliance. The notice issued pursuant to this section may be served upon the party responsible for the violation, either by personal service, mail, or by process server.

(3) In the event that the compliance time period passes and the violation has not been obtained, a citation shall issue requiring a court appearance. The maximum penalty for a violation prosecuted in court shall not exceed \$1,000 or imprisonment for up to six months, of both, as authorized by state law.

(4) Any person who shall violate any of the provisions of this article or fail to comply therewith, shall for each and every such violation and noncompliance, respectively, be guilty of an ordinance violation. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue.

43

Sec. 54-118. – Penalties

~~(a) — The following shall be assessed to individuals who fail to obtain permits in accordance with sections 54-117(a) and 54-117(b), or who violate sections 54-113, 54-114, including the violation of any total burn ban enacted by the fire chief, section 54-115 or who violate section 54-116:~~

~~(1) — First violation. For the first violation, a written notice shall be issued, and the individual shall be advised of corrective measures to maintain compliance with this article.~~

~~(2) — Second violation. For a second violation, including a second violation issued for the failure to take corrective measures after a first violation, a summons shall be issued and fine of \$100.00 assessed.~~

~~(3) — Third violation. For a third violation, including a violation issued for the failure to rectify the situation warranting a prior violation, a summons shall be issued and fine of \$250.00 assessed.~~

~~(4) — Fourth violation. For a fourth violation, including a violation issued for the failure to rectify the situation warranting a prior violation, a summons shall be issued and fine of \$500.00 assessed.~~

~~(5) — Fifth and any subsequent violations. For a fifth violation and any subsequent violations, including for the failure to rectify the situation warranting a prior violation, a summons shall be issued and fine of \$1,000.00 assessed and/or six months in jail.~~

44

Sec. 54-118. – Penalties

- ~~(b) The following shall be assessed to individuals who do not obtain required permits or who engage in permitted burning in violation of section 54-117(c):~~
- ~~(1) First violation. For the first violation, a summons shall be issued and fine of \$500.00 assessed.~~
- ~~(2) Second violation. For a second violation, a summons shall be issued and a fine of \$1,000.00 assessed.~~
- ~~(3) Third and any subsequent violations. For a third violation and any subsequent violations, a summons shall be issued and a fine of \$1,000.00 assessed and/or six months in jail.~~
- ~~(c) The following shall be assessed to individuals who violate the conditions of permits issued by section 54-117(a) or (b), who kindle a fire larger than 12 feet by 12 feet, or who kindle a fire which becomes an out of control fire and causes damage to the property of another person:~~
- ~~(1) First violation. For the first violation, a summons shall be issued and fine of \$100.00 assessed.~~
- ~~(2) Second violation. For the second violation, a summons shall be issued and a fine of \$500.00 assessed.~~
- ~~(3) Third and any subsequent violations. For a third violation and any subsequent violations, a summons shall be issued and a fine of \$1,000.00 assessed and/or six months in jail.~~
- ~~(d) Multiple violations of this section shall be based upon a consecutive 36-month period.~~
- ~~(Ord. of 2-27-07; Amd. of 2-24-09; Amd. of 2-26-13; Amd. of 2-25-14)~~

45

Sec. 54-121. – Jurisdiction and appeals.

- (e) All decisions of the fire code appeals board are final, and may only be reviewed by ~~certiorari~~ appealed to the superior court of the county. Any person, whether or not a previous party to the appeal may seek review of the decision of the fire code appeals board.

The above shall be effective August 1, 2022.

State law reference – O.C.G.A. §§ 36-74-2 through 36-74-29.

46

Chapter 86

OFFENSES AND MISCELLANEOUS PROVISIONS

47

Sec. 86-2. – Disorderly Conduct

- Added two new definitions of prohibited conduct:

- Cannot enter on the land or vehicles of another unless the owner has provided written approval.
- Cannot litter on public or private property.



48

Sec. 86-12. – Prohibited Use of Private Property by Unauthorized Persons

Only owners, leaseholders, or other rightful occupants of property may camp on private property unless the owner or leaseholder provides written permission.



49

Sec. 86-13. – Building Fires and Camping in Public Places Prohibited

One cannot camp, sleep, store property, or build fires on public property, unless specifically designated for same, unless county gives written permission.



50

Chapter 102

SOLID WASTE, RECYCLING AND RESIDENTIAL COLLECTION

51

Article I. General

Section 102-1. – Intent and purpose.

Section 102-3. – Title.

Section 102-4. – Applicability.

- Scope expanded to explicitly include processing and recycling of solid waste and recovered materials.
- Purpose language tightened; adds community-welfare clause.
- Title broadened to include Recycling and Residential Collection .
- Applicability expanded to processing and recycling activities.
- Scope broadened from 'solid waste' to 'municipal solid waste and recovered materials.

52

Section 102-5. – Definitions.

- Added: definitions to address residential collections and recycling (ie: bulky waste, collection vehicle, etc.).
- Modified: definitions of certain operating equipment.
- Added: Hard-to-recycle plastics program.
- Added: definitions for dwelling types.
- Clarified: Department structure and Director.
- Modified: Recovered materials & recovered materials processing facility — clarifies recovered materials are not solid waste; refines facility definition and exclusion from 'solid waste handling facility.'
- Modified: Hazardous waste — aligns to 40 C.F.R. Part 261; Appendix VIII (federal language).
- Modified: language used within the code for consistency.

53

Section 102-9. – Individual Disposal.

- Clarified: proper locations for self-disposal at permitted facilities.
- Clarified: applicability to all individuals.

54

Section 102-10. – Individual Placement and Disposal of Yard Trimmings.

- Clarified: lawful disposal of yard trimmings and MSW (municipal solid waste).

55

Section 102-11. – Disposal at Approved Sites Only.

- Clarified: restriction of disposal through residential service provider or at a permitted facility.

56

Section 102-12. – Enforcement.

- Clarified: department name from Water to SWB (Sustainability, Waste and Beautification).

57

Section 102-14. – Violations and Penalties.

- Added: state law reference.

58

Section 102-16. – Change of Address.

- Clarified: department name.

59

Article II. Solid Waste Collection.

Section 102-51. – Compliance with this article required.

Section 102-52. - Grant or Privilege

Section 102-53. - Commercial Waste Collection, Permit and Registration-Generally.

Section 102-54. - Permit Fee Schedule.

Section 102.55. - Commercial Waste Collection Application for Permit

Section 102.56. - Denial of Application for Issuance of Solid Waste Permit for Commercial Waste Collection.

- Added: recovered materials.
- Clarified: department name.
- Modified: article titles to referenced commercial waste

60

Section 102-57. – Transferability or Permit for Commercial Waste Collection.

- Clarified: permit is not assignable.

61

Section 102-58. – Revocation and suspension of solid waste permit for commercial waste collection.

- Clarified: department name.

62

Section 102-59. – Same—Procedure; notice; hearing required; "due cause" prerequisite for commercial waste collection.

- Refines grounds and procedures for permit revocation/suspension (clarifies triggers and process steps).
- Clarified: department name and agency name.

63

**Section 102-60. – Appeals for Commercial Waste Collections.
Section 102-61. - Temporary Permit for Commercial Waste Collection.
Section 102-62. - Insurance.**

- Clarified: department name and agency name.
- Clarified: requirement of permit for recycling and residential collection.

64

Section 102-64. – Vehicle Requirements.

- Added: identification requirement for waste collectors using rented vehicles.
- Added: compliance with federal, state and local law.

65

Section 102-65. – Required provision of residential elective offer of recycling service.

- Modified: title.
- Clarified: hauler duty to offer recycling to eligible accounts.
- Clarified: hauler duty to provide recycling container.
- Defined: recyclable material to be collected in curbside program.

66

Section 102-67. – Mandatory Reporting Requirements.

- Clarified: department name.
- Clarified: applicability in unincorporated Cobb County.

67

Section 102-69. – Customer's Requirements.

- Added: a third requirement to place recyclables loosely inside of the approved recycling container.

68

Section 102-70. – Services required to be performed.

- Deleted: duplicate language within code (see section 102-110).
- Clarified: department name.

69

Section 102-71. – Hours of collection and Noise Complaints.

- Clarified: department name.
- Updated: title
- Added: suspension of service due to extreme heat (aligned with OSHA Heat Index). Purpose is to ensure timely collection of solid waste during emergencies and hazardous conditions to protect public health and safety.

70

Section 102-74. – Reserved.

- Deleted: section in compliance (Georgia law O.C.G.A. s 36 – 1 –16 found unconstitutional).

71

Section 102-75. – Penalties.

- Clarified: compliance with federal state and local law.

72

Article III. Litter Control

Section 102-91. – Purpose and Title.

Section 102-92. – Littering public or private property or waters.

- Modified: grammar.

73

Section 102-96. – Enforcement.

- Clarified: department name and title.

74

**Section 102-98. – Monitoring and Coordination of Litter
Abatement in Cobb County.**

Section 102-99. – 102.110. - Reserved

- Added: CSO (Chief Sustainability Officer) responsibility for litter abatement.
- Modified: numbering of reserved articles.

75

Article IV. Keep Cobb Beautiful.

Section 102-111. – Created; purpose.

- Clarified: Keep Cobb Beautiful (KCB) name.

76

Section 102-112. – Membership.

- Modified: number of KCB board members from 21 to 22 to accommodate the City of Mableton.
- Modified: number of cities located within Cobb County from 6 to 7.

77

Section 102-113. – Term of appointment.

- Clarified: criteria for replacement of KCB board members.

78

Section 102-114. – Officers; meetings; quorum.

- Modified: meeting locations/times to include in-person, virtual, and phone meetings at a minimum of per quarter and quorums for full board and executive committee.

79

Section 102-115. – Bylaws; minutes.

- Clarified: Keep Cobb Beautiful (KCB) name.

80

Section 102-116. – Responsibilities.
Section 102-117. – Financial powers limited.
Section 102-118. – Annual report.
Section 102-119. – Termination of projects.

Revised as follows:

- Clarified: KCB name.
- Modified: programming language.

81

Chapter 106

STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES

82

Sec. 106-10. – Pavement cuts, utility work; permission, restoration, obstructions

(a) Any utility, contractor, firm or individual shall obtain ~~written approval of the board of commissioners~~ through the county Department of Transportation prior to starting any pavement cuts, curb cuts or any utility repairs or installations on county rights-of-way. Allowances will be made for emergency conditions or maintenance activities. Utilities, as defined in section 106-3(b)(1), shall also comply with the policy and procedures set forth in sections 106-3 and 106-4.

Purpose: Clarify that utility work on County rights of way only requires approval through Department of Transportation.

- Reflects current practice of DOT approval through 2,000 utility permits and 100 land disturbance permits issued annually

83

Sec. 106-11. – Limited access highways

(a) Upon application by any developer, the county Department of Transportation shall obtain approval of the board of commissioners, at a regular meeting or zoning hearing, prior to the developer being granted new access to a property from a limited access highway.

(b) The following roadways shall be considered limited access highways:

- (1) Barrett Parkway between Cobb Parkway and Powder Springs Road.
- (2) East West Connector between Powder Springs Road and South Cobb Drive.

Purpose: Codify Board of Commissioners 1994 policy (affirmed in 2002) regarding new access on Barrett Parkway and East West Connector.

- New access shall require application and approval of the Board

84

Chapter 114

TAXATION

85

Sec. 114-119. – ~~Penalty for violation~~ Failure to pay ad valorem services tax owed.

- Corrects the method for collecting unpaid ad valorem services taxes.
- Remove language stating *nonpayment is a misdemeanor* and revised to show it will be collected pursuant to state law as all other ad valorem taxes.

86

Chapter 50

ENVIRONMENT

87

Sec. 50-71. Definitions.

- Revises stormwater management special assessments of properties to be specifically for recovering costs incurred by the county for repairs to private stormwater infrastructure.

88

Sec. 50-102. - Purpose And Intent.

- Corrects duplicate wording in the language.

89

Sec. 50-106.1. - Stormwater Management Standards.

- Adds the definition for trout stream protection as required by the Metropolitan North Georgia Water Planning District.
- Requires maintenance and inspection agreements for privately owned stormwater management systems.

90

Sec. 50-110. - Stormwater Management Assessment Districts.

- Current language provides for assessments to properties for costs incurred by the county in undertaking duties in accordance with the terms and provisions of this article.
- Revises language for special assessments of properties to be created only for the purpose of recovering costs incurred by the county for repairs to private stormwater infrastructure that create a danger to the public or damage county infrastructure.

91

Sec. 50-111. - Maintenance of stormwater facilities—County owned.

- Replaces “Residential” with “County owned” in title.
- Deletes a sentence that is not applicable.

92

Sec. 50-112. - Maintenance of stormwater facilities— Privately owned.

- Changes “commercial/industrial” to “private” or “privately owned” in title and in section.
- Clarifies that all owners of privately owned stormwater facilities are required to maintain them.
- Removes the process of taking action against an owner to address nuisances from this section. It is being added to Chapter 83 –Nuisances.
- Adds the requirement for the county to provide all properties associated with a stormwater facility a notice when said facility is causing a public nuisance.
- Adds provision that under emergency circumstances where there exists the danger of bodily injury or death, the county is not required to provide a written notice before the county addresses a nuisance.

93

Sec. 50-130. - Minimum requirement

- Removes the reference to publicly dedicated stormwater management facilities on final plats.

94

Sec. 50-143. - County participation in development agreement.

- Deletes that county funds for paying for additional stormwater storage in a new development shall be provided out of the stormwater management assessment.

95

Chapter 83

NUISANCES

96

Sec. 83-4. - Findings.

- Adds improperly maintained stormwater management facilities as part of nuisance abatement.
- Adds language referencing general nuisance law to be consistent with state law.

97

Sec. 83-5. - Definitions.

- Adds references to applicable county codes and the requirements of the Georgia Stormwater Management Manual.
- Adds the director of the water system or designee to the list of public officers.

98

Sec. 83-6. - Duties of property owners.

- Adds the proper maintenance of stormwater management facilities as a duty of the property owner.

99

Sec. 83-7. - Nuisance abatement procedure.

- Adds language consistent with state nuisance law.
- Adds the conditions in which a public officer investigates a nuisance that creates a flooding hazard, erosion, or water contamination.

100

Chapter 110

SUBDIVISIONS

101

Sec. 110-30. - Final plat specifications.

- Removes detention pond lots from items to be conveyed to the county as public as part of the final plat.
- Discontinues county's acceptance of ownership and maintenance of detention ponds in new *single-family residential subdivisions*.

102

Sec. 110-111. - Structural stormwater controls.

- Adds the requirement that any stormwater management facility serving more than one property shall be governed by an established property association.
- Adds the requirement for stormwater management facilities to be included within the declaration of covenants of a development.
- Adds the requirement for developers to establish an escrow account based on the number of homes for future maintenance of stormwater management facilities for residential developments, in which the facilities are owned by an HOA or held in common by property owners.
- Prohibits the use of underground detention for residential developments in which the detention facility is owned by an HOA or held in common by property owners.

103

Chapter 122

UTILITIES

104

Sec. 122-57. - Right to enter premises.

- *Allows county officials to enter properties for the purpose of identifying water service line material to comply with the EPA Lead and Copper Rule.*

105

Sec. 122-84. - Miscellaneous charges.

- Moves fees for delinquent accounts to amended Sec. 122-89.
- Cleans up various language in section.

106

Sec. 122-89. - Late fee and delinquency for unpaid, past due invoiced accounts.

- Updates language to be consistent with current Water System procedures for late and delinquent accounts.
- Deletes the amount of the late fee, because that is specified in the Water System's rate schedule approved by the BOC.

107

Sec. 122-126. Wastewater lift station.

- Clarifies Water System's long-standing position of not supporting public lift stations being built for a new development by explicitly stating that developers shall not provide wastewater service to new development with a public lift station.
- Discontinues approval of wastewater lift stations for new single-family residential subdivisions.
- Revises conditions for the use of a private lift stations serving multiple non-residential properties.

108

Sec. 122-130. - Sewer considerations for new developments.

- Clarifies when gravity sewer shall be provided for new developments and when septic systems may be utilized.
- Clarifies that all new nonresidential developments shall provide gravity sewer to the development if it can be connected to sewer by gravity regardless of the distance or easements required.

109

Sec. 122-152. - Water System.

- Clarifies that multi-family residential developments on a single tax parcel shall be served by a water master meter unless otherwise approved by the Water System.
- Changes master meter requirements for residential condominium type developments. A master meter shall be installed for each building rather than for the entire development. This is to eliminate a condominium HOA having to maintain large water mains serving each building.

110

Sec. 122-188. - Interceptors.

- The section is restructured, and there are various updates, clean-up, and clarifications.
- Includes mobile units and commissaries as defined food service establishments.
- Clarifies the requirements of grease traps for food service establishments for improved environmental compliance.
- Clarifies permitting, maintenance, inspections, and record keeping requirements for better comprehension.
- Adds requirement for food service establishment to display discharge permit on a wall visible to managers to make current managers aware of the permitted number of seats and fixtures.

111

Sec. 122-193. - Hauled wastes.

Sec. 122-265. - Enforcement.

- Corrects references to applicable amended code sections.

112

Chapter 122

NEW ARTICLE III. – STORMWATER MANAGEMENT

To be effective June 1, 2026

UTILITIES

113

Sec. 122-301. - Definitions.

- Definitions of terms used within article, including:
 - Impervious surfaces (does not include swimming pools)
 - Private stormwater management systems and facilities
 - Public stormwater management systems and facilities
 - Public water influence zone
 - Stormwater service fees

114

Sec. 122-302. - Purpose and policy.

- Establishes the objective of article which is to provide for the equitable distribution of the cost of stormwater management services by imposing a user fee based upon each user's contribution of stormwater runoff.
- Findings include:
 - The management of stormwater and other surface water discharges affects the health, safety and welfare of all residents and businesses in the unincorporated area of the county.
 - The county is required to comply with state and federal regulatory requirements in its National Pollutant Discharge Elimination System (NPDES) Phase I Municipal Separate Storm Sewer System (MS4) permit.
 - It is imperative that the proceeds from stormwater service fee be dedicated to stormwater services, management, and facilities.
 - The area of impervious surface on each parcel is the most important factor influencing the cost of the stormwater management services; therefore, it is the most appropriate parameter for calculating a periodic stormwater service fee.

115

Sec. 122-303. - Establishment of stormwater utility.

- Establishes a stormwater utility in unincorporated areas of the county and provides for the county to provide stormwater services to a municipality through an intergovernmental agreement.

116

Sec. 122-304. - Scope of responsibility.

- Describes water system's stormwater services.
- Defines structures maintained by the water system, including:
 - Located in easements on residential property and are shown on the subdivision final plat or have been dedicated to and accepted by the county for maintenance.
 - Dedicated in fee simple to and accepted by the county through the subdivision acceptance process.
- States water system may perform channel stabilization work on residential property within the portion of the public water influence zone.
- States stormwater facilities located on private property that have not been dedicated to and accepted by the county for maintenance, shall be and remain the legal responsibility of the property owner.

117

Sec. 122-305. - Establishment of enterprise fund.

- Establishes an enterprise fund to be used exclusively for stormwater services in unincorporated Cobb or any municipality with whom the county has entered into an agreement to provide stormwater services.

118

Sec. 122-311. - Service charges, rates and fees generally.

- Establishes a fee mechanism.
- States that the actual rates and fees charged by the water system shall be adopted by the board of commissioners and published in a separate rate or fee schedule.
- Defines residential and nonresidential customer categories.

119

Sec. 122-312. – Stormwater management and miscellaneous charges and fees.

- Establishes a fee based on the area of impervious surface on each developed parcel.
- Establishes late fee and returned check fee.

120

Sec. 122-313. - Stormwater service fee exemptions.

- Establishes the following exemptions from a stormwater service fee:
 - Undeveloped land.
 - Railroad tracks.
 - Public streets and airport runways.
 - Basins at drinking water and wastewater treatment plants.
 - Properties covered as part of Dobbins Air Reserve Base's stormwater permit with the State of Georgia.
 - Properties that contain 100% of stormwater runoff within the property for all storm events up to and including the 100-year 24-hour storm event.

121

Sec. 122-314. - Billing, payments, delinquencies, and adjustments.

- Establishes that fee will be charged on the monthly water bill and properties not served by the water system will receive a stormwater only bill.
- Establishes procedures for requesting and applying adjustments to fee.

122

Sec. 122-315. - Credits.

- Property owners may apply for a reduction in stormwater fees for certain activities that reduce the negative impact on the stormwater utility, help the county to comply with permit, and/or have a reduced impact on surface waters.
- Activities are defined in the Credit Manual approved by the BOC.

123

Sec. 122-316. - Appeals.

- Establishes an appeals process for the denial of a stormwater fee adjustment, which goes through the water system director, then BOC, and finally superior court.

124

Questions?

125

Next steps

- Public Hearing #1- November 12, 9:00 a.m.
- Public Hearing #2- November 20, 6:00 p.m.
- Board vote on amendments following public hearing on November 20

126

Resolution

COBB COUNTY BOARD OF COMMISSIONERS

RESOLUTION

ADOPTING ALL BUDGET AMENDMENTS SET
FORTH IN AGENDA ITEMS ON THIS DATE

WHEREAS, Georgia Law, O.C.G.A. § 36-81-3 (b), requires each unit of government to operate under an annual balanced budget adopted by ordinance or resolution; and

WHEREAS, Cobb County Code 2-49 provides for revisions to the adopted budget during the year only by formal action of the commission in a regular meeting; and

WHEREAS, in official opinion date February 24, 1999, the Attorney General of the State of Georgia concluded that all amendments to the budgets of local government must be adopted by ordinance or resolution;

NOW, THEREFORE, BE IT RESOLVED the Cobb County Board of Commissioners does hereby adopt all such budget amendments as are set forth in agenda items which are adopted by the Board of Commissioners without change this date, as well as other such budget amendments as shall be specifically detailed in motions adopted by the Board of Commissioners this date.

This 12th of November 2025

