

STATE OF GEORGIA
COUNTY OF HENRY
CITY OF STOCKBRIDGE

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE TEXT OF THE CITY OF STOCKBRIDGE (“CITY”) CODE OF ORDINANCES BY CREATING A NEW CHAPTER 3.10, ENTITLED “ COMMUNITY REDEVELOPMENT TAX INCENTIVE PROGRAM”; TO ESTABLISH A COMMUNITY REDEVELOPMENT TAX INCENTIVE PROGRAM FOR BLIGHTED PROPERTIES PURSUANT TO ARTICLE IX, SECTION II, PARAGRAPH VII(D) OF THE GEORGIA CONSTITUTION AND O.C.G.A. § 41-2-12 ET SEQ.; TO PROVIDE FOR THE IDENTIFICATION OF BLIGHTED PROPERTY; TO IMPOSE AN INCREASED MUNICIPAL AD VALOREM TAX ON CERTAIN BLIGHTED PROPERTY; TO PROVIDE FOR NOTICE, HEARINGS, APPEALS, REMEDIATION, REMOVAL OF DESIGNATION, REDUCED TAXATION FOLLOWING REDEVELOPMENT, COORDINATION WITH HENRY COUNTY TAX OFFICIALS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Stockbridge is a municipal corporation duly organized and existing under the laws of the State of Georgia is charged with providing public services to residents located within the corporate limits of the City; and

WHEREAS, Article IX, Section II, Paragraph VII(d) of the Constitution of the State of Georgia and O.C.G.A. § 41-2-12 et seq. authorize municipalities to establish community redevelopment tax incentive programs to encourage the remediation and redevelopment of blighted property; and

WHEREAS, the City Council finds that abandoned, neglected, unsafe, and blighted properties create substantial burdens on public safety, code enforcement, public infrastructure, neighborhood stability, and economic development; and

WHEREAS, the City Council further finds that blighted properties increase municipal expenditures and reduce the quality of life for surrounding residents and businesses; and

WHEREAS, the City Council finds that a community redevelopment tax incentive program is necessary to protect the public health, safety, and welfare and to encourage timely rehabilitation and productive reuse of blighted property.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF STOCKBRIDGE, GEORGIA AS FOLLOWS:

SECTION 1. AMENDMENT TO THE CITY CODE OF ORDINANCES SECTION 5.16.070.

Having considered the proposed amendment to the City of Stockbridge Code of Ordinances, the Mayor and Council hereby amend the Code by creating a new Chapter 3.10, which shall read as the attached and incorporated **Exhibit A**.

SECTION 2. CODIFICATION.

The provisions of this Ordinance shall be codified as Chapter 3.10 of the Code of Ordinances of the City of Stockbridge.

SECTION 3. ADMINISTRATIVE IMPLEMENTATION.

The City Manager, or their designee, is hereby authorized and directed to develop administrative procedures, coordinate public notice, and enforcement protocols, and to take all necessary steps to ensure consistent implementation and operation of this Ordinance.

SECTION 4. REPEAL OF CONFLICTING PROVISIONS.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. CITY ATTORNEY'S AUTHORITY.

Pursuant to the City's charter and with explicit consent of the City Council, the City Attorney is duly authorized to make requisite amendments to all contracts, ordinances, resolutions, and documents, as may be necessary, in order to secure conformity with the express intent of the City Council and to ensure adherence to all pertinent laws and ordinances of the City.

SECTION 6. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall become effective immediately upon its adoption.

[SIGNATURES ON THE FOLLOWING PAGE]

SO ORDAINED THIS _____ DAY OF _____, 2026.

Jayden Williams, Mayor

ATTEST:

APPROVED AS TO FORM:

Cassandra Lester, Interim City Clerk

Quinton G. Washington, City Attorney

DRAFT

EXHIBIT A
FULL TEXT OF PROPOSED CHAPTER 3.10

CHAPTER 3.10: COMMUNITY REDEVELOPMENT TAX INCENTIVE PROGRAM

3.10.010 Purpose and Authority.

- A. This Chapter is adopted pursuant to the authority granted by Article IX, Section II, Paragraph VII(d) of the Constitution of the State of Georgia, O.C.G.A. § 41-2-12 et seq., the City's Charter, and all other applicable provisions of Georgia law.
- B. The purpose of this Chapter is to establish a Community Redevelopment Tax Incentive Program designed to encourage the rehabilitation, redevelopment, productive reuse, and long-term maintenance of blighted property located within the corporate limits of the City.
- C. The City recognizes that rehabilitation of blighted property decreases demands upon governmental services, improves neighborhood stability, encourages private investment, protects property values, and promotes economic development.
- D. This Chapter establishes administrative procedures for identifying qualifying blighted property, providing notice and an opportunity to cure, conducting hearings, imposing increased municipal ad valorem taxation where authorized by law, encouraging voluntary remediation, and providing reduced municipal taxation following successful redevelopment.
- E. Nothing contained in this Chapter shall limit or impair any authority otherwise possessed by the City under its Charter, Georgia law, or other provisions of this Code to enforce nuisance, zoning, building, housing, fire, life-safety, or property maintenance regulations.

3.10.020 Legislative Findings.

The Mayor and Council specifically find and declare that:

- A. Blighted properties create conditions that are detrimental to the public health, safety, and welfare.
- B. Such properties increase demands upon police protection, fire protection, emergency response, code enforcement, sanitation, and other governmental services.
- C. Blighted properties discourage private investment and redevelopment and negatively affect surrounding residential and commercial property values.
- D. The public benefits resulting from rehabilitation and redevelopment substantially outweigh the temporary increased municipal tax burden imposed upon qualifying blighted properties.
- E. Voluntary remediation should be encouraged whenever reasonably possible.
- F. Property owners should be afforded meaningful notice, an opportunity to correct violations, administrative review, and judicial review before any increased municipal taxation becomes effective.
- G. The procedures established by this Chapter are intended to be objective, transparent, uniformly administered, and consistent with constitutional principles of due process.

- H. (H) This Chapter is enacted for the public purpose of eliminating blight, promoting redevelopment, encouraging investment, reducing governmental expenditures, and protecting the health, safety, and welfare of the citizens of the City.

3.10.030 Definitions.

Unless the context clearly requires otherwise, the following words and phrases shall have the meanings ascribed below.

- A. **Blighted Property** means developed or urbanized real property meeting the definition established by Article IX, Section II, Paragraph VII(d) of the Constitution of the State of Georgia and O.C.G.A. § 41-2-12 et seq., and satisfying the eligibility requirements established by this Chapter.
- B. **Building Inspector** means the City's Chief Building Official, Building Inspector, Code Enforcement Officer, Fire Marshal, or any qualified inspector designated by the Public Officer.
- C. **City** means the City of Stockbridge, Georgia.
- D. **Code Enforcement Division** means the department responsible for enforcement of the City's nuisance, property maintenance, zoning, housing, and related ordinances.
- E. **Community Redevelopment** means any lawful activity undertaken to rehabilitate, repair, renovate, stabilize, restore, demolish, reconstruct, redevelop, improve, or otherwise return property to productive use consistent with applicable law.
- F. **Final Determination** means the written determination issued by the Public Officer following expiration of the applicable cure period or completion of all administrative proceedings.
- G. **Owner** means the individual or legal entity reflected upon the most recent Henry County tax digest or otherwise determined to hold legal title to the property.
- H. **Person** means any individual, partnership, corporation, limited liability company, trust, estate, association, governmental entity, or other legal entity responsible for payment of municipal ad valorem taxes.
- I. **Preliminary Determination** means the initial written determination issued by the Public Officer identifying property believed to qualify for designation as Blighted Property.
- J. **Public Officer** means the City Manager or such officer or employee designated by the City Manager to administer this Chapter.
- K. **Remediation Agreement** means a written agreement entered into between the City and a property owner establishing a schedule and requirements for correction of blighted conditions.

3.10.040 Construction and Intent.

- A. This Chapter shall be liberally construed to accomplish the public purposes authorized by Article IX, Section II, Paragraph VII(d) of the Constitution of the State of Georgia and O.C.G.A. § 41-2-12 et seq.

- B. Nothing contained herein shall be interpreted to diminish any constitutional or statutory rights afforded to property owners.
- C. This Chapter establishes minimum administrative procedures and shall not preclude the City from pursuing any additional remedies authorized by law.
- D. The increased municipal ad valorem taxation authorized by this Chapter is intended to function as a component of a Community Redevelopment Tax Incentive Program and shall not be construed as a criminal penalty, civil fine, special assessment, or code enforcement citation.
- E. In the event of any conflict between this Chapter and state law, state law shall control.

3.10.050 Administration.

- A. **Public Officer.** The City Manager shall designate a Public Officer responsible for administration and enforcement of this Chapter.
- B. **Delegation.** The Public Officer may delegate inspection, investigation, and administrative functions to qualified City personnel but shall retain responsibility for issuance of all Preliminary Determinations and Final Determinations.
- C. **Interdepartmental Cooperation.** The Community Development Department, Code Enforcement Division, Fire Department, Police Department, Finance Department, and all other City departments shall cooperate with the Public Officer in administration of this Chapter.
- D. **Administrative Rules.** The Public Officer may develop administrative forms, inspection procedures, remediation agreement templates, internal operating procedures, and other documents necessary to administer this Chapter, provided such rules are consistent with this Chapter and applicable law.
- E. **Administrative Record.** The Public Officer shall maintain an administrative record for each property considered under this Chapter, including inspection reports, photographs, notices, correspondence, code enforcement history, remediation agreements, hearing records, and final determinations.
- F. **Coordination with Henry County.** The City Manager is authorized to coordinate with the Henry County Tax Commissioner, Henry County Tax Assessor, and other appropriate county officials regarding implementation of this Chapter and may execute administrative memoranda of understanding or similar agreements, subject to approval as to form by the City Attorney, as necessary to facilitate administration of the Community Redevelopment Tax Incentive Program.

3.10.060 Qualification of Blighted Property.

- A. No property shall be eligible for designation as Blighted Property unless the Public Officer determines that:

1. The property satisfies the definition of "Blighted Property" established by Article IX, Section II, Paragraph VII(d) of the Constitution of the State of Georgia and O.C.G.A. § 41-2-12 et seq.;
 2. The property has remained in violation of applicable federal, state, or local law for a period of not less than twelve (12) consecutive months following written notice of such violation;
 3. The owner has been afforded a reasonable opportunity to correct the identified conditions;
 4. The conditions continue to exist at the time of inspection; and
 5. The property is not exempt from designation pursuant to this Chapter.
- B. In addition to subsection (A), the property shall satisfy at least one (1) of the following:
1. Three (3) or more unresolved code enforcement violations issued during the preceding twenty-four (24) months;
 2. A final determination that a structure is unsafe pursuant to applicable City ordinance;
 3. Repeated nuisance abatement actions by the City;
 4. Abandonment or vacancy for a period exceeding twelve (12) consecutive months;
 5. Repeated criminal activity occurring upon the property of which the owner knew or reasonably should have known;
 6. Any other objective evidence demonstrating that the property has become a continuing burden upon municipal resources.
- C. Property shall not be designated solely because:
1. The structure is aged;
 2. Cosmetic deficiencies exist;
 3. Landscaping is inadequate;
 4. Market conditions have reduced property values; or
 5. The property is vacant but otherwise maintained in compliance with applicable law.
- D. Nothing contained herein shall prohibit simultaneous enforcement of nuisance, zoning, building, housing, fire, life-safety, property maintenance, or other applicable regulations.

3.10.070 Exempt Property.

The following property shall not be eligible for designation under this Chapter:

- A. Property receiving a valid homestead exemption and occupied as the owner's primary residence.
- B. Property actively undergoing construction pursuant to a valid building permit and demonstrating substantial progress.
- C. Property subject to an approved remediation agreement and remaining in compliance therewith.
- D. Property owned by the United States, the State of Georgia, Henry County, the City, or any governmental entity to the extent prohibited by law.

- E. Property temporarily damaged by fire, storm, flood, or other casualty, provided the owner is actively pursuing repairs in good faith.
- F. Property subject to an active bankruptcy stay to the extent prohibited by federal law.

3.10.080 Initiation of Proceedings.

Proceedings under this Chapter may be initiated by:

- A. the Public Officer;
- B. the Community Development Department;
- C. the Code Enforcement Division;
- D. the Fire Marshal;
- E. the Police Department;
- F. Resolution of the Mayor and Council;
- G. a petition signed by at least five (5) residents of the City identifying the property and alleged blighting conditions. A petition submitted by residents shall not require the Public Officer to designate property as blighted but shall require the Public Officer to conduct an investigation within a reasonable time.

3.10.090 Investigation and Inspection.

- A. Upon initiation of proceedings, the Public Officer shall cause the property to be inspected.
- B. Inspections may include review of:
 - 1. prior code enforcement history;
 - 2. police incident reports;
 - 3. fire reports;
 - 4. building permit history;
 - 5. tax records;
 - 6. ownership history;
 - 7. utility service history where lawfully available;
 - 8. photographs;
 - 9. aerial imagery;
 - 10. any other reliable evidence.
- C. The Public Officer may request assistance from any City department.
- D. When appropriate, inspections shall be conducted by certified personnel possessing qualifications relevant to the conditions under investigation.
- E. Entry upon private property shall occur only as authorized by law.

3.10.100 Inspection Report.

Following inspection, the Public Officer shall prepare or cause to be prepared a written Inspection Report containing, at minimum:

- A. parcel identification number;
- B. property address;

- C. ownership information;
- D. inspection dates;
- E. photographs;
- F. applicable code violations;
- G. description of observed conditions;
- H. history of prior enforcement actions;
- I. determination whether constitutional and statutory blight criteria are satisfied;
- J. recommendation concerning designation.

The Inspection Report shall become part of the administrative record.

3.10.110 Blighted Property Review Committee.

- A. There is hereby established a Blighted Property Review Committee.
- B. The Committee shall consist of:
 - 1. Community Development Director (Chair);
 - 2. Chief Building Official;
 - 3. Code Enforcement Manager;
 - 4. Fire Marshal;
 - 5. Finance Director or designee.
 - 6. The City Manager may appoint alternate members when necessary.
- C. The Committee shall review the Inspection Report and all supporting documentation.
- D. The Committee may request additional inspections or information.
- E. Within thirty (30) days following receipt of the Inspection Report, the Committee shall issue a written recommendation to:
 - 1. proceed with designation;
 - 2. defer pending additional investigation;
 - 3. recommend voluntary remediation; or
 - 4. close the matter.
- F. The Committee's recommendation shall become part of the administrative record.
- G. The recommendation shall be advisory only and shall not constitute final agency action.

3.10.120 Preliminary Determination.

Following receipt of the Committee's recommendation, the Public Officer shall determine whether sufficient evidence exists to support a Preliminary Determination. If the Public Officer issues a Preliminary Determination, the determination shall include:

- A. findings of fact;
- B. applicable code violations;
- C. statutory basis for designation;
- D. photographs or supporting documentation;
- E. proposed corrective actions;
- F. notice of the owner's rights under this Chapter.

The Preliminary Determination shall not constitute a final designation.

3.10.130 Notice of Preliminary Determination.

- A. Within ten (10) business days after issuance of a Preliminary Determination, the Public Officer shall provide written notice to the owner.
- B. Notice shall be served by:
 - 1. certified mail;
 - 2. statutory overnight delivery;
 - 3. any additional method authorized by Georgia law.
- C. Notice shall include:
 - 1. a copy of the Preliminary Determination;
 - 2. the Inspection Report;
 - 3. photographs relied upon;
 - 4. applicable code violations;
 - 5. available administrative remedies;
 - 6. procedures for voluntary remediation;
 - 7. right to inspect and copy the administrative record;
 - 8. right to request an informal meeting with the Public Officer;
 - 9. right to appeal any Final Determination.
- D. The owner shall have forty-five (45) days from receipt of the notice to:
 - 1. correct the violations;
 - 2. submit a remediation plan; or
 - 3. request an informal conference with the Public Officer.

3.10.140 Voluntary Remediation Agreement.

- A. **Purpose.** The purpose of a Voluntary Remediation Agreement is to encourage the prompt rehabilitation and productive reuse of property through cooperative compliance without the necessity of imposing the increased municipal ad valorem tax authorized by this Chapter.
- B. **Submission.** At any time prior to issuance of a Final Determination, the Owner may submit a written request to enter into a Voluntary Remediation Agreement.
- C. **Contents.** The proposed agreement shall include, at a minimum:
 - 1. A detailed description of all corrective work to be completed;
 - 2. A schedule for completion of each phase of work;
 - 3. Estimated completion dates;
 - 4. Proof of the Owner's legal authority to perform the work;
 - 5. Copies of any required permits or applications, if available;
 - 6. Evidence demonstrating the financial ability to complete the proposed remediation;
 - 7. Such additional information as the Public Officer reasonably determines necessary.

- D. **Approval.** The Public Officer may approve, approve with conditions, or deny a proposed Voluntary Remediation Agreement after considering the recommendation of the Blighted Property Review Committee.
- E. **Effect of Agreement.** Upon approval, all proceedings under this Chapter shall be stayed for the duration of the agreement, provided the Owner remains in substantial compliance.
- F. **Inspections.** The Public Officer may conduct periodic inspections to verify compliance.
- G. **Extensions.** The Public Officer may grant one or more extensions for good cause shown, provided the Owner demonstrates substantial progress toward completion.
- H. **Default.** The Owner shall be deemed in default upon:
 - 1. Failure to substantially perform the agreement;
 - 2. Failure to obtain required permits;
 - 3. Failure to maintain the property in a safe condition;
 - 4. Submission of materially false information; or
 - 5. Failure to permit reasonable inspections authorized by law.
- I. **Effect of Default.** Upon written notice of default, the stay shall automatically terminate and proceedings under this Chapter may resume from the point at which they were suspended.

3.10.150 Final Determination.

- A. Following expiration of the cure period established in Section 3.10.130, or upon default of a Voluntary Remediation Agreement, the Public Officer shall determine whether the property should be designated as Blighted Property.
- B. A Final Determination shall include:
 - 1. Findings of fact;
 - 2. Conclusions supporting designation under this Chapter;
 - 3. Identification of the statutory authority;
 - 4. The effective date of designation;
 - 5. Notice of appeal rights.
- C. The Final Determination shall be served upon the Owner in the same manner as the Preliminary Determination.
- D. A copy of the Final Determination shall become part of the permanent administrative record.

3.10.160 Appeal to Municipal Court.

- A. Any Owner aggrieved by a Final Determination may appeal by filing a written Notice of Appeal with the Public Officer within thirty (30) calendar days following service of the Final Determination.
- B. Upon receipt of a timely Notice of Appeal, the Public Officer shall transmit the administrative record to the Municipal Court.

- C. The Municipal Court shall schedule the appeal for hearing not later than forty-five (45) days following receipt of the administrative record unless continued for good cause.
- D. The hearing shall be conducted de novo.
- E. The Public Officer shall bear the burden of proving by a preponderance of the evidence that the property qualifies for designation under this Chapter and applicable Georgia law.
- F. The Owner shall have the right to:
 - 1. Appear personally or through legal counsel;
 - 2. Present witnesses;
 - 3. Present documentary evidence;
 - 4. Cross-examine witnesses;
 - 5. Present rebuttal evidence.
- G. The Georgia Rules of Evidence shall apply except as otherwise permitted by law for administrative proceedings.
- H. The Municipal Court shall issue written Findings of Fact and Conclusions of Law within thirty (30) days after the conclusion of the hearing.
 - 1. The Municipal Court may:
 - 2. Affirm the Final Determination;
 - 3. Reverse the Final Determination;
 - 4. Modify the Final Determination;
 - 5. Remand the matter to the Public Officer for additional proceedings.
- I. The decision of the Municipal Court shall constitute the City's final administrative action.

3.10.170 Judicial Review.

Any person aggrieved by the final administrative decision of the Municipal Court may seek judicial review in accordance with the laws of the State of Georgia.

3.10.180 Stay Pending Appeal.

No increased municipal ad valorem tax authorized by this Chapter shall become due or payable during the pendency of any timely administrative or judicial appeal. If the designation is ultimately affirmed after exhaustion of all appeals, the increased municipal ad valorem tax shall become due in accordance with applicable law.

3.10.190 Community Redevelopment Tax Assessment.

- A. Property receiving a final designation as Blighted Property shall be subject to an increased municipal ad valorem tax calculated by applying a factor of twenty-five (25) to the City's annual operating millage rate.
- B. The increased tax authorized by this Chapter applies solely to the City's municipal operating millage and shall not affect county, school district, state, or other taxing authority millage rates.

- C. The increased tax shall become effective on January 1 of the calendar year following the date the designation becomes final, unless otherwise provided by Georgia law.
- D. If the designation is removed before January 1 of the applicable tax year, no increased municipal tax shall be imposed.
- E. Revenues generated pursuant to this Chapter shall be deposited into the City's General Fund and may be appropriated for code enforcement, demolition of unsafe structures, redevelopment initiatives, neighborhood revitalization, affordable housing initiatives, public safety, and other lawful municipal purposes.

3.10.200 Removal of Designation.

- A. The Owner may petition the Public Officer at any time for removal of a Blighted Property designation.
- B. Upon receipt of the petition, the Public Officer shall cause the property to be reinspected.
- C. If the Public Officer determines that all qualifying blighted conditions have been corrected and the property complies with applicable law, the Public Officer shall issue a written Removal of Designation.
- D. Removal shall become effective immediately upon issuance.
- E. The Public Officer shall promptly notify the Henry County Tax Commissioner and Henry County Tax Assessor of the Removal of Designation.

3.10.210 Community Redevelopment Tax Incentive.

- A. Property for which a Blighted Property designation has been removed pursuant to Section 3.10.200 shall be eligible for a reduced City municipal operating millage equal to fifty percent (50%) of the City's operating millage.
- B. The reduced municipal operating millage shall remain in effect for two (2) consecutive tax years beginning January 1 following removal of the designation.
- C. To qualify, the Owner shall submit documentation demonstrating:
 - 1. Completion of the approved remediation;
 - 2. Compliance with all applicable City codes;
 - 3. Payment of all delinquent municipal taxes, liens, and assessments due and payable.

3.10.220 Coordination with Henry County.

- A. Following any Final Determination or Removal of Designation, the Public Officer shall certify the action to the Henry County Tax Commissioner and Henry County Tax Assessor.
- B. The certification shall include:
 - 1. Parcel identification number;
 - 2. Property address;
 - 3. Owner of record;
 - 4. Effective date;

5. Applicable tax year.
- C. The City Manager may enter into administrative memoranda of understanding with Henry County necessary to facilitate implementation of this Chapter, subject to approval as to form by the City Attorney.

3.10.230 Annual Report.

- A. No later than March 31 of each calendar year, the Public Officer shall submit to the Mayor and Council an annual report summarizing administration of this Chapter during the preceding calendar year.
- B. The report shall include, at a minimum:
 1. Number of properties investigated;
 2. Number of Preliminary Determinations;
 3. Number of Final Determinations;
 4. Number of Voluntary Remediation Agreements executed;
 5. Number of successful redevelopments;
 6. Amount of additional municipal tax generated;
 7. Number of pending appeals; and
 8. Recommendations for improving administration of this Chapter.

3.10.240 Administrative Rules.

The Public Officer may adopt written administrative policies, procedures, forms, and guidance documents necessary to administer this Chapter, provided such policies are consistent with this Chapter, the City Charter, and applicable law.