

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA TO AMEND CHAPTER 18 (EMERGENCY MANAGEMENT AND EMERGENCY SERVICES), CHAPTER 22 (FIRE PREVENTION AND PROTECTION), AND CHAPTER 105 (BUILDINGS AND BUILDING REGULATIONS) OF THE CODE OF THE CITY OF SANDY SPRINGS, GEORGIA; TO DELETE, MODIFY AND ADD PROVISIONS PERTAINING TO THE REGULATION OF MULTIFAMILY RENTAL HOUSING AND RELATED PROVISIONS GOVERNING FIRE SAFETY AND PREVENTION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the Mayor and Council of the City of Sandy Springs (“City Council”) are charged with the protection of the public health, safety, and welfare of the citizens of the City of Sandy Springs; and

WHEREAS, the City Council has determined that it is appropriate from time to time to modify the Code of Ordinances of the City of Sandy Springs (the “Code”) to further protect the public health, safety, and welfare of the citizens of Sandy Springs.

BE IT ORDAINED by the City Council of the City of Sandy Springs, Georgia, that the City’s Code of Ordinances is amended as follows:

SECTION I: Division 2 of Article II of Chapter 18 relating to Alarm Systems is hereby amended by changing the requirements for a KNOX Rapid Entry System by deleting the current Section 18-35 and Section 18-37 of Division 2 of Article II of Chapter 18 in their entirety and replacing with the amended Section 18-35 and Section 18-37 of Division 2 of Article II of Chapter 18 to read as follows:

Sec. 18-35. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them below, except where the context clearly indicates a different meaning:

Adopted code(s) means the code adopted by the city and, in the absence of an adopted code, the National Fire Protection Association National Fire Alarm Code 72 (NFPA 72) and the National Fire Protection Association Life Safety Code 101 (NFPA 101).

Alarm activation report means a document issued by the enforcement official indicating that the activation was deemed to be the result of either a valid incident or a false alarm.

Alarm administrator means a person or persons designated by the city to administer, control and review false alarm reduction efforts and to administer the provisions of this division.

Alarm business/company means any individual, partnership, corporation or other entity that is appropriately licensed in the State of Georgia and installs, causes to be installed, permits to be installed, alters, maintains, repairs, replaces or services (including runner services) any alarm system.

Alarm initiating device means a device that is designed to respond either manually or automatically to smoke, fire, or activation of a fire suppression system.

Alarm permit means a permit issued by the city to allow the operation of an alarm system within the city.

Alarm signal means a detectable signal, whether audible, visual, and/or silent, generated by an alarm system, to which a public safety department is requested to respond.

Alarm system means any single device or assembly of equipment designed to signal the occurrence of a fire, illegal or unauthorized entry or other activity requiring immediate attention and to which a public safety department will be requested to respond, but does not include alarms installed in motor vehicles, domestic violence alarms, or alarms designed to elicit a medical response. Alarm system also includes a system or portion of a combination system consisting of components and circuits arranged to monitor and/or exterior annunciate the status of an alarm signal or supervisory signal-initiating devices and to initiate the appropriate response to those alarm signals.

Alarm user means any person, corporation, partnership, proprietorship, governmental or educational entity or any other entity owning or leasing an alarm system, or on whose premises an alarm system is maintained for the protection of such premises.

Alarm user awareness class means a class conducted for the purpose of educating alarm users about the responsible use, operation, and maintenance of alarm systems and the problems created by false alarms.

Automatic voice dialer means any electrical, electronic, mechanical, or other device capable of being programmed to send a prerecorded voice message, when activated, over a telephone line, radio or other communication system, to the emergency communications system requesting public safety department dispatch.

Cancellation means the process by which a response is terminated when the alarm company (designated by the alarm user) notifies the emergency communications center that there is not an existing situation at the alarm site requiring public safety department response after an alarm dispatch request. If cancellation occurs prior to the respective public safety department arriving at the scene, this is not a false alarm for the purpose of civil penalty, and no penalty will be assessed.

City means the City of Sandy Springs, Georgia.

City council means the governing body of the city consisting of the mayor and members of council.

Emergency communications center means the ChatComm Emergency Communications (911) Center.

Enforcement official means the fire chief (fire department enforcement official) or the police chief, or their respective designated representatives.

False alarm means the activation of an alarm system to summon a public safety department which occurs as a result of mechanical or electronic failure, malfunction, improper installation, or the negligence of the alarm user, his/her employees or agents, unless the request for response was cancelled by the alarm user or his/her agent before a public safety department arrives at the alarm location. An

alarm is false within the meaning of this division when, upon inspection by a public safety department, evidence indicates that no fire, medical emergency, unauthorized entry, robbery, or other such crime was committed, occurred or attempted in or on the premises which would have activated a properly functioning alarm system. Notwithstanding the foregoing, a false alarm shall not include an alarm which can reasonably be determined to have been caused or activated by violent conditions of nature, nor does it include other extraordinary circumstances not reasonably subject to control by the alarm user. In addition, an alarm activated during an alarm system testing procedure shall not be considered a false alarm if the alarm user first notifies and receives permission from the alarm user's alarm company, or designee, to test the alarm system. False fire alarm means a false alarm to summon the fire department.

Fee means the assessment of a monetary charge payable to the city authorized pursuant to this division, to defray the expenses of responding to a false alarm.

Fire chief means the fire chief of the City of Sandy Springs, Georgia.

Fire department means the City of Sandy Springs fire-rescue department.

Fire watch means a person or persons approved by the fire department enforcement official who is assigned to the premises for the purpose of protecting the occupants from fire or similar emergencies. A fire watch may involve at least some special action beyond normal staffing, such as assigning an additional security guard(s) to walk the premises, who has been specially trained in fire prevention and in the use of fire extinguishers, in notifying the fire department, in sounding the fire alarm system located on the premises.

Holdup alarm means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress.

KNOX Rapid Entry System or *KNOX System* means a secure access program that provides immediate entry for emergency responders into buildings and other secured property. The KNOX System utilizes three devices: KNOX boxes, KNOX key switches and KNOX padlocks. The KNOX box is a small, wall-mounted safe that holds building keys for emergency responders to retrieve for access in emergency situations. A KNOX key switch allows electric override to power operated gates and doors. A KNOX padlock allows access to non-power operated gates and doors.

Monitored system means an alarm system which is monitored by a remote monitoring facility which receives signals from the alarm system and notifies emergency response forces.

Owner means any person who owns the premises in which an alarm system is installed or the person or persons who lease, operate, occupy or manage the premises.

Permit year means a 12-month period beginning on the day and month on which an alarm permit is issued.

Police chief means the chief of police of the City of Sandy Springs, Georgia.

Police department means the City of Sandy Springs police department.

Premises means any building, structure or combination of buildings, and structures which serve as dwelling units such as single-family, multi-family or any other area within a building, structure or combination thereof which is used for any purpose, wherein an alarm system is installed.

Public safety department(s) means the police department and the fire department individually or collectively, as the context indicates.

Qualified alarm technician means any person who inspects, installs, repairs or performs maintenance on alarm systems and has successfully completed training consistent with alarm industry standards. A qualified fire alarm technician shall be: a) factory trained and certified; b) National Institute of Certification in Engineering Technologies (NICET) Fire Alarm Level II certified; or c) licensed or certified by state or local authority.

Record of completion means the completion of a form equivalent to the record of completion form included in the National Fire Protection Association's National Fire Alarm Code (NFPA 72).

Report of service/repair means appropriate documentation in a format acceptable to the enforcement official that verifies proper repairs or maintenance have been performed by both the alarm business and the owner.

Runner service means the service provided by a runner at the protected premises, including resetting and silencing of all equipment transmitting alarm or supervisory signals to an off-premises location.

Serve shall mean hand-delivery of written notification by a representative of the city to the owner or authorized representative who responded to the premises. In the event the owner or authorized representative fails to respond to the premises within 30 minutes, serve shall mean placing the form or other matter in the United States mail, postage prepaid, addressed to the owner or authorized representative and/or placing a copy of an alarm activation report affixed to the main entrance door of the premises.

SIA Control Panel Standard CP-01 means the American National Standard Institute (ANSI) approved Security Industry Association (SIA) CP-01 Control Panel Standard, as may be updated from time to time, that details recommended design features for alarm system control panels and their associated arming and disarming devices to reduce false alarms. Control panels built and tested to this standard by nationally recognized testing organizations, will be marked to state: "Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for false alarm reduction."

Verify means an attempt by the monitoring company, or its representative, to contact the alarm site and/or alarm user by telephone and/or other electronic means, whether or not actual contact with a person is made, to attempt to determine whether an alarm signal is valid before requesting public safety department dispatch, in an attempt to avoid an unnecessary alarm dispatch request. For the purpose of this division, telephone verification shall require, at a minimum that a second call be made to a different number if the first attempt fails to reach an alarm user who can properly identify himself/herself to attempt to determine whether an alarm signal is valid before requesting public safety department dispatch.

Sec. 18-37. - Duties of the alarm user/owner.

An alarm user or owner shall be required to:

- (a) Register and obtain an alarm permit;
- (b) Maintain the premises and the alarm system in a method that will reduce or eliminate false alarms;
- (c) Respond or cause a representative to respond to the alarm system's location within 30 minutes upon notification of the need to deactivate a malfunctioning alarm system, to provide right of entry to the premises, or to provide alternative security for the premises;
- (d) Ensure that an alarm system is not manually activated by the alarm user or any other person for any reason other than an occurrence of an event that the alarm system was intended to report;
- (e) Upon obtaining an alarm permit number, provide that number to the alarm company;
- (f) Obtain a new alarm permit if there is a change of address or ownership of a business or residence or if there is updated information.
- (g) KNOX Rapid Entry System:

1. All new and existing commercial occupancies having an automatic fire alarm system shall have an approved KNOX System installed in a location approved by the fire department.

2. The KNOX System box shall contain all keys, fobs, reader cards, etc. for all locked areas of the building as required by the fire department. "Keys" shall include but not be limited to, all areas of the building, automatic fire alarm systems, pull station resetting tools, all elevators and elevator machine rooms, sprinkler systems riser rooms, and gated areas with keypad access, including the front gate and any interior gate/areas, including pools and common areas. "Keys" shall not include keys to individual multifamily rental units.

3. All commercial properties within the city with power operated vehicle or pedestrian access gates shall have an approved KNOX key switch system for access by public safety personnel. All commercial properties with non-power operated vehicle or pedestrian access gates shall be equipped with a KNOX padlock.

4. All building owners and managers shall notify the fire department immediately of changes of locks and/or keys, fobs, reader cards, etc., for building access to allow for the placement of new keys in the KNOX System box.

5. All new and existing commercial occupancies having an automatic fire alarm system shall comply with the provisions of section 18-37(g) of the ordinances of the City of Sandy Springs, within six (6) months following the effective date of this division as amended.

SECTION II: Division 1 of Article II of Chapter 22 relating to Fire Prevention Code & Safety Standards is hereby amended by changing the definition of the word "New" by deleting the current Section 22-34 of Division 1 of Article II of Chapter 22 in its entirety and replacing with the amended Section 22-34 of Division 1 of Article II of Chapter 22 to read as follows:

Sec. 22-34. - Sprinkler protection requirements.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Approved system, commercial, means a sprinkler system used for areas less than 5,000 square feet; for light hazard areas (i.e., offices and shipping areas of commercial buildings less than 5,000 square feet), a modified sprinkler system may be used. This system may be used upon appeal to the fire marshal's office by the owner of the building.

Approved system, commercial/residential, means a sprinkler system designed in accordance with National Fire Protection Association standards and referenced publications, for commercial buildings over 5,000 square feet, or residential structures, or those structures required to be sprinkled by some other code.

Commercial means a business involved in the exchange of services, productions, or property of any kind; the buying, selling and exchange of articles.

Multifamily residential structures means a structure containing three or more dwelling units and not classified as a townhome under the International Residential Code.

New means any additions to existing buildings, whether vertically or horizontally, or any existing building or structure which shall be deemed to be a new building in the event such building or structure is subject to substantial renovation due to a fire or other hazard of serious consequence. For purposes of this definition, the term "substantial renovation" shall mean any construction project involving egress or internal features of such building or structure costing more than 50 percent the building's or structure's gross assessed value according to county tax records at the time of such renovation. For the purposes of this section, the 50 percent gross assessed value standard shall be calculated for each individual building or structure being renovated, and not the gross assessed value of a multi-building development which is contained in a single tax parcel. Any requirements of this section triggered by substantial renovation under this definition shall apply solely to the individual building or structure being renovated. Notwithstanding the foregoing, any requirements of this section triggered by substantial renovation to an individual building or structure contained within a larger multi-building development on a single tax parcel, when such renovation costs more than 50 percent of the gross assessed value of the entire multi-building development, shall apply to the entire multi-building development.

(b) *Protection system required; exceptions.* All new commercial buildings in excess of 5,000 square feet or with an occupant load greater than 100 persons shall be protected throughout with an approved automatic fire protection system, except as follows:

1. For buildings less than 15,000 square feet constructed mainly for the storage of products with limited life loss potential some flexibility may be allowed. The owner may petition to the fire marshal for exception to sprinklers in the storage areas. The fire marshal will give consideration to such things as building construction, products stored, arrangement of storage, number of employees in the area, access to the building, and any other fire protection features provided. This exception will not be allowed for additions to existing sprinkled buildings.

2. For buildings storing materials that are water reactive or may be damaged by water fighting a fire, than by a fire, the fire marshal's office shall use the same considerations.

3. Additions to existing unprotected buildings where the addition totals less than 1,000 square feet; provided, however, the addition must be separated by a two-hour fire barrier in accordance with the city building code and is not required to be protected by some other applicable code.

4. All new multifamily residential structures shall be protected throughout with an approved automatic fire protection system in accordance with National Fire Protection Association Standards as adopted by the office of the insurance and safety fire commissioner.

5. All new one-family and two-family dwellings with a fire separation distance of less than 20 feet from another dwelling structure, or closer than ten feet to the property line, must be sprinkled with an approved automatic fire protection system in accordance with NFPA 13D as adopted by the office of the insurance and safety fire commissioner in the kitchen and fuel fired equipment rooms.

6. There shall be early fire detection systems in all sections of multifamily occupancies as required by the international property maintenance code. All new multifamily structures shall include a hardwired early fire detection system. Existing buildings may have an approved battery operated smoke detector. The fire marshal may require a hard-wire detection system if battery operated detectors are not maintained according to manufacturer's recommendation.

7. The owner is responsible for the inspection and testing of the sprinkler system in accordance with the rules of the state safety fire commissioner on all structures required to have sprinkler systems pursuant to this Code.

If this section in any way conflicts with the provisions in the International Building Code, the fire prevention code, or the life safety code, the more restrictive shall apply.

SECTION III: Division 3 of Article II of Chapter 22 relating to Private Fire Hydrants is hereby amended by deleting the current Division 3 of Article II of Chapter 22 in its entirety and replacing with the amended Division 3 of Article II of Chapter 22 to read as follows:

DIVISION 3. - PRIVATE FIRE HYDRANTS

Sec. 22-57. – Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

AWWA Standard means the current edition of American Water Works Association (AWWA) M17 titled "Installation, Field Testing and Maintenance of Fire Hydrants, as the same may be modified from time to time

Certified private fire hydrant contractor means a contractor qualified to perform testing, inspection or maintenance of private fire hydrants pursuant to this Chapter, who possesses a current State of Georgia issued plumbers license, utility contractor's license or a fire protection sprinkler contractor license.

Contractors performing such certification testing, inspection or maintenance shall adhere to the provisions of the current editions of National Fire Protection Association (NFPA) 24: "Standard for the Installation of Private Fire Service Mains and their Appurtenances" and American Water Works Association (AWWA) M17: "Installation, Field Testing and Maintenance of Fire Hydrants".

Code means the Code of the City of Sandy Springs, Georgia.

Emergency impairment means a condition where a private fire hydrant is out of service due to an unexpected occurrence, whereby the fire hydrant fails, or may fail, to provide an adequate water supply.

Fire department means the fire department of the City of Sandy Springs.

Impaired fire hydrant means a private fire hydrant which is not operational due to an emergency impairment or a pre-planned impairment.

Impairment means a shutdown of or damage to a private fire hydrant which renders the fire hydrant non-operational and therefore out of service.

Inspection means an examination of a private fire hydrant to verify that it appears to be in operating condition and is free from physical damage.

Maintenance means work performed to keep a private fire hydrant operable or to make repairs.

NFPA Standard means Publication 25 of the National Fire Protection Association (NFPA) titled Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems 2012, and any subsequent editions, amendments or revisions thereto.

Owner means the person that holds record title to the property upon which a private fire hydrant is located.

Owner's designee means the occupant, management firm, or managing individual designated by the owner who, through specific provisions in the lease, written use agreement or covenants, has assumed responsibility to maintain and repair a private fire hydrant located on the owner's property.

Person means any individual, partnership, institution, public or private corporation, or other entity.

Preplanned impairment means a condition where a private fire hydrant is out of service due to maintenance or repair work that has been planned in advance.

Private fire hydrant means a valved connection to a water main or water supply system for the purpose of supplying water to a fire hose or fire protection apparatus, which fire hydrant is owned by a non-governmental entity and located on private property, including any residential private street where there is ownership of the street by an individual, group of individuals, or a legal entity

Record means written documentation of the inspection, testing, maintenance, correction, or repair of a private hydrant.

Testing means a procedure of periodic physical and operational checks used to determine whether a private fire hydrant is capable of being operated as intended and will perform as intended, e.g., water flow tests. These tests shall be performed at intervals specified in this division.

Sec. 22-58. - General requirements.

(a) *Responsibility.* Responsibility for properly inspecting and maintaining a private fire hydrant shall be that of the owner or the owner's designee, who shall comply with the requirements of this ordinance and shall be subject to its enforcement in the event of a failure to so comply.

(b) *Time of inspection.* All private fire hydrants shall be inspected and field tested annually by a certified private fire hydrant contractor who shall certify in writing to the fire department:

1. the person's name and the date the inspection was performed;
2. the location of the private fire hydrant;
3. the repairs, if any, performed;
4. the service condition of the private fire hydrant.

(c) *Testing.* All testing of a private fire hydrant shall be conducted by a certified private fire hydrant contractor in accordance with the NFPA and AWWA Standards, and shall also comply with Code Section 103-93, water system and fire hydrants.

(d) *Repair.* The owner or the owner's designee shall repair within thirty (30) days a private fire hydrant which fails inspection, is impaired or otherwise does not function as required by the NFPA Standard or the manufacturer's specifications. After completing any repairs, the owner or the owner's designee shall have the fire hydrant inspected by a certified private fire hydrant contractor to certify its serviceability.

(e) *Impairment device.* An impairment device as approved by the Fire Department shall be placed on any fire hydrant which has been damaged or turned off for repairs or is out of service for any reason. The fire department shall immediately be notified of: (i) the fire hydrant being taken out of service; (ii) the completion of repairs; and (iii) the fire hydrant being placed back in service.

(f) *Locations.* The GPS location of all private fire hydrants shall be provided to the fire department.

Sec. 22-59. - Records.

(a) *Contents.* The owner or the owner's designee shall maintain a permanent record that indicates the procedure performed to inspect, test, and repair a private fire hydrant. The records shall include the name of the individual who performed the work, test results, the date work was performed, and other pertinent information as the fire department may reasonably require.

(b) *Records retention.* All inspection records shall be maintained by the owner or the owner's designee for a period of four years from the date of the inspection. All inspection records shall be provided to the city within ten business days from the date a request is made by the city in writing to the owner or the owner's designee. Failure to provide such records shall be deemed a violation of this ordinance.

Sec. 22-60. - Enforcement of violations and penalties.

Failure to comply with this division shall be a violation and is subject to those penalties contained herein and in section 1-10 of the Code. Each week that the violation continues shall constitute a separate violation of this division.

Secs. 22-61—22-70. - Reserved.

SECTION IV: Article II of Chapter 22 relating to Fire Prevention Code & Safety Standards is hereby amended by adding Division 4: Multifamily Rental Housing, as follows:

DIVISION 4 MULTIFAMILY RENTAL HOUSING

Sec. 22-71. Purpose

This Division shall apply to all “multifamily rental housing”, unless otherwise noted.

Sec. 22-72. Definitions

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Fire extinguisher shall mean a fire extinguisher classified as a 2A10BC extinguisher or larger with at least 5 pounds of extinguishing powder.

Intumescent paint means a type of fire retardant paint which provides passive fire protection to a building by slowing down the progress of a fire and protecting the underlying structures.

Multifamily rental dwelling means any structure containing three (3) or more separate multifamily rental units used as a residence or sleeping unit. This definition includes, but is not limited to, multiple-family apartment units, boardinghouses, rooming houses, group homes, and flats.

Multifamily rental housing means any multifamily rental unit and/or any multifamily rental dwelling.

Multifamily rental unit means any one area, room, structure, flat, apartment, or facility of a multifamily rental dwelling that is being leased or rented to only one tenant, group of tenants, or family under one lease, or under terms of joint and severable liability.

Owner means any person, agent, firm, or corporation having a legal or equitable interest in premises.

Sec. 22-73. Fire suppression system

(a) All vent hoods, or open areas located above a stove or cooking range, shall be equipped with an NSF certified automatic fire suppression device. Such device shall be maintained in an operable condition at all times by the Owner or Owner’s designee. This section shall not apply to any multifamily rental unit that is equipped with an operable sprinkler head as part of a sprinkler protection system.

(b) Any existing multifamily rental housing at the time of this ordinance shall have up to two (2) years to conform to the provisions of this ordinance.

Sec. 22-74. Fire extinguishers

(a) A fire extinguisher is required to be located within each multifamily rental unit not equipped with an operable sprinkler head as part of a sprinkler protection system. In addition, fire extinguishers must be located in all common hallways and breezeways on each floor of all structures within a multifamily rental dwelling. The Owner is required to maintain all fire extinguishers in good working condition, and compliant with all applicable laws and standards, including a current service tag from a licensed fire extinguisher contractor indicating the fire extinguisher has been serviced within the past 365 days.

(b) Any existing multifamily rental housing at the time of this ordinance shall have up to one (1) year to conform to the provisions of this ordinance.

Sec. 22-75. Intumescent paint

(a) All areas of any multifamily rental housing without a sprinkler protection system, where there is interior exposed and unprotected wood, studs or plywood, including any attic area not otherwise protected by a dry sprinkler system, must be painted with intumescent paint.

(b) Intumescent paint requires a one-time application to all applicable untreated interior exposed and unprotected wood, studs or plywood. Thereafter, intumescent paint shall be applied and maintained where there is a surface breach of the paint.

(c) Any existing multifamily rental housing at the time of this ordinance shall have up to the earlier of seven (7) years from the date of this ordinance or two (2) years from the transfer of ownership to conform to the provisions of this ordinance.

Sec. 22-76. Fire safety education

The fire department shall make available to Owners a fire safety pamphlet describing safety information of user benefit to tenants of multifamily units.

Sec. 22-77. Enforcement

Failure to comply with the requirements of this Division shall result in a citation and a fine not exceeding \$1,000.00 for each offense.

SECTION V: Division 2 of Article IV of Chapter 105 relating to multifamily rental housing is hereby amended by deleting the current Division 2 of Article IV of Chapter 105 in its entirety and replacing with the amended Division 2 of Article IV of Chapter 105 to read as follows:

DIVISION 2. - MULTIFAMILY RENTAL HOUSING

Sec. 105-118. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Certified building inspector means any person inspecting for compliance with the various adopted codes who is a licensed design professional (architect or engineer) or holds one of the following certifications from ICC: property maintenance and housing inspector, building inspector, building plan examiner or commercial combination inspector.

Code compliance certificate means a certificate, substantially similar to exhibit A attached to the ordinance from which this division is derived and incorporated herein, executed by a certified building inspector and stating compliance with those minimum standards described in the inspection report attached thereto.

Inspection report means a report, substantially similar to exhibit A attached to the ordinance dated December 6, 2016 from which this division is amended and incorporated herein, attached to the code compliance certificate and describing the minimum requirements for inspection of each unit. The inspection report may be modified from time to time by the Director of Community Development to comply with the adoption, revision or amendment of all applicable laws, certifications or standards.

Lease means any written or oral agreement which sets forth any and all conditions concerning the use and occupancy of multifamily rental dwellings or multifamily rental units.

Multifamily rental dwelling means any multifamily structure, multifamily building, or other facility promised and/or leased to a residential tenant or tenants for use as a home, residence, or sleeping unit. This definition includes, but is not limited to, multiple-family dwellings, multiple-family apartment units, boardinghouses, rooming houses, group homes, and flats.

Multifamily rental housing means any multifamily rental unit and/or any multifamily rental dwelling.

Multifamily rental unit means any one area, room, structure, flat, apartment, or facility of a multifamily rental dwelling that is being leased or rented to only one tenant, group of tenants, or family under one lease, or under terms of joint and severable liability.

Occupancy means all tenants, lessees and persons residing within a multifamily rental dwelling or multifamily rental unit.

Owner means any person, agent, firm, or corporation having a legal or equitable interest in premises.

Owner-occupied means any part of a structure used as living quarters by the owner of said structure where other parts of the structure are used as multifamily rental units. Example: Two-family dwelling, owner occupies one flat; rooming house, owner occupies one unit.

Premises means any lot or piece of land inclusive of the multifamily rental dwelling or multifamily rental unit

Sec. 105-119. - Fee and certificate required.

(a) *Occupation tax.* All owners of multifamily rental dwellings or multifamily rental units within the city that receive income for use of four or more such dwellings or units and meet the requirements of O.C.G.A. § 48-13-5 for having a location or office within the city (i) shall be subject to an occupation tax as provided in this division and (ii) shall provide to the city, prior to September 1, 2006, a code compliance certificate covering 100 percent of the multifamily rental units within the 12-month period immediately preceding the date of the certification. Said code compliance certificate shall be certified by the owner that all units inspected are in compliance with those standards contained in the code compliance certificate and inspection report. For the initial year of construction, this section shall not apply to new construction or rehabilitation of a multifamily rental dwelling provided proper permits are obtained from the city.

(b) *Inspection.* Upon initial inspection of such dwellings or units, should a certified building inspector determine that further work is necessary to comply with the minimum standards set forth herein, an acceptable plan shall be submitted to the chief building official outlining the time and scope of work necessary to bring the units into compliance. If such plan is accepted by the chief building official as reasonable and justified, an extension may be granted for up to one year for completion of repairs and compliance with this division. No extension shall be granted if life safety issues are involved and any such units shall not be leased until brought into compliance.

(c) *Compliance certificate.* After submission of the initial code compliance certificate, each owner shall submit a code compliance certificate annually, commencing on January 1, 2007, with their business license renewal. Such subsequent code compliance certificate shall cover at least 20 percent of the units, provided all units shall be inspected, at a minimum, every five years. All units inspected shall be listed individually on the code compliance certificate submitted to the city by the certified building inspector. Furthermore, exterior inspections shall cover at least 20 percent of the buildings, provided all buildings shall be inspected, at a minimum, every five years. All units inspected shall be listed individually and submitted to the city by the certified building inspector.

(d) *Written record of inspection.* Furthermore, each owner and certified building inspector shall keep a written record of all inspections for each unit including the date of the inspection, items inspected and all violations, if any, observed. Such records shall be presented to the city within ten business days after such request is made in writing to the inspector. Failure to provide such records shall nullify the code compliance certificate for those units.

Sec. 105-120. - Failure to provide code compliance certificate.

(a) Failure to provide the code compliance certificate as provided herein shall be a violation of this division and is subject to those penalties contained herein and in section 1-10.

(b) Further, said failure, upon a judicial determination, shall be a condition constituting probable cause, and may subject said multifamily rental dwelling or multifamily rental units to inspection by the city building official and/or the city fire marshal at a fee as determined by the city council that covers all costs of such inspection by the city. Said inspection by the city, if required, shall be at a sole cost of the owner and failure to pay said cost shall result in a lien being placed on the premises as provided for collection of taxes.

(c) Failure to pay the occupational tax as provided herein shall be a violation of this division and is subject to those penalties set forth in this division. Nothing contained in this section shall prevent the city from enforcement of the state minimum standard codes as provided in this chapter.

Sec. 105-121. - Penalty for false certification and false inspection.

(a) An owner who knowingly participates in furnishing a code compliance certificate to the city which contains a false certification that all multifamily rental dwellings or multifamily rental units inspected are in compliance with those standards contained in the code compliance certificate shall be guilty of a violation of this Code for each multifamily rental dwelling or multifamily rental unit for which the certification is shown to be false and can be fined up to \$1,000.00, or imprisoned for up to one year, or any combination of these, by the court for each violation.

(b) A certified building inspector who furnishes an inspection report which knowingly contains fraudulent information that a multifamily rental dwelling or multifamily rental unit meets the minimum housing standards of the city as shown by the inspection report contained in exhibit A of the ordinance from which this division is derived shall be guilty of a violation of this Code and can be fined up to \$1,000.00, or imprisoned for up to one year, or any combination of these, by the court for each violation. In addition, a building inspector's right to submit inspection reports to the city may be suspended for a stated period of time, up to five years, by resolution of the city council.

SECTION VI: It is the intention of the City Council and it is hereby ordained by the authority of the City Council that the provisions of this Ordinance shall become and be made a part of The Code of the City of Sandy Springs, Georgia, and the codifier is authorized to make the specified deletions, insertions, additions, and to insert headings, article numbers and section numbers as and where appropriate.

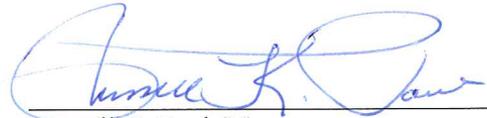
SECTION VII: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION VIII: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

SECTION IX: This Ordinance shall become effective immediately upon adoption.

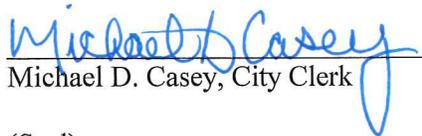
APPROVED AND ADOPTED this the 6th day of December, 2016.

Approved:



Russell K. Paul, Mayor

Attest:



Michael D. Casey, City Clerk

(Seal)



EXHIBIT "A"

CONDITION INSPECTION REPORT TO THE CITY

Name of the Apartment Community: _

Address: _____ Apt. # _____ Occupied? Yes__ No

Date Unit Reoccupied (If "No") _____ Inspector Date: _____

Name of Certified Building Inspector

(Print): _____ Unit #: _____

No.	Minimum Standards for Basic Equipment & Facilities	PASS	FAIL	Required Action
1.	Address number for the unit(s) is posted in plain view thus: a) street address on complex's monuments sign, and b) Identify each building by number, letter (or description if Office, Clubhouse, Storage, ect.) c) Each dwelling unit's ID (number or letter) must clearly visible. ALL of the above must be quickly & readily visible, without a search struggle.			
2.	Interior and exterior doors are not ill-fitting, frames and hardware are in good condition and operate properly; privacy locks are provided for bathroom(s). (Provide "failed" location(s) if applicable)			
3.	Interior floors, walls and ceiling kept in good repair.			
4.	Windows, 8% glazing of floor space for light and ventilation, 45% shall be operable with screens if no air conditioning. Windows shall be in good repair and rodent proof, no open cracks or holes.			
5.	Floors, stairs, landings, balconies, decks and porches are maintained in sound condition and good repair; interior and exterior railings and handrails are properly secured and in good repair.			
6.	Bathroom(s) have operable bath fan in good condition or window.			
7.	Plumbing facilities including kitchen sink, lavatory, tub or shower, and water closet(s), are clean and sanitary and are in good working order.			
8.	Water heating equipment is operational, in good repair and hot water is supplied to bathroom fixtures and the kitchen sink.			
9.	Existing smoke alarm devices are operational (test			

	buttons checked), located in the vicinity of all sleeping rooms.			
10.	Electrical in good working order with proper covers, no exposed wiring, existing light fixtures in good working order.			
11.	Heating facilities are operational and in good working order. No gas burning appliances are located in bedrooms.			
12.	Evidence of roaches, insects and rodents, were not observed in more than one unit and/or in shared, public or exterior areas: (Note: extermination is required prior to re-leasing a vacant unit).			
13.	A safe, continuous and unobstructed path of travel shall be provided from any point in the unit or structure to the public way. Means of egress shall comply with the International Fire Code.			
14.	Properly tagged fire extinguishers are located in the common hallways within 75' of the entrance doors to all units on the same floor.			
15.	Premises are being maintained with no excessive trash, rubbish or similar items in trash collection or dumpster areas.			
16.	Maintain the exterior grading & drainage to prevent erosion & stagnant water.			
17.	Exterior sidewalks & driveways to be kept in good repair; free of trip hazards.			
18.	Defacement of exterior property – no marking, carving, graffiti or willful damage.			
19.	Exterior walls free from holes, breaks, and loose or rotting materials; maintained weatherproof and properly surface coated to prevent deterioration.			
20.	Light for common halls & stairways at least one 60 watt incandescent bulb or equivalent per 200 sq. ft. of floor or stairs. Light fixture to be "whole".			
21.	Attic check confirms no breach in firewalls (100% of all units the first year, 20% of units each year thereafter, provided that over each five year span after the first year, 100% of all units must be inspected			
22.	Where installed, building fire alarm systems have been tested and certified as operable for each individual unit.			
23.	All controlled access locked gates on the premises are equipped with a KNOX Rapid Entry System.			
24.	If an alarm notification system has been installed at the property, the battery for the system was last changed on the _____ day of _____, 20__.			
25.	The batteries in all smoke alarms in every unit of the property have been changed in the last 365 days, and all smoke alarms have been replaced within the last			

	10 years.			
26.	Beginning December 6, 2018, every unit not serviced by a sprinkler protection system is equipped with an automatic fire suppression device			
27.	Beginning December 6, 2017, a fire extinguisher has been placed in every unit not serviced by a sprinkler protection system.			
28.	All areas without sprinkler protection where there is interior exposed and unprotected wood, studs or plywood, have been painted with intumescent paint (beginning December 6, 2023 for properties acquired before December 6, 2016).			
29.	All fire extinguishers on the property are in place, tagged, and all inspections and certifications are current.			
30.	The tenants of each unit have been provided with fire safety information.			
31.	The property is equipped with an automatic fire sprinkler system, and it has been inspected and tested in accordance with the rules of the state safety fire commissioner pursuant to the requirements of Code Section 22-34. Or in the alternative, that the Property is exempt from the requirements of Code Section 22-34 for the reason(s) set forth below:			
32.	All private fire hydrants located on the property are current on all inspections and repairs, and are compliant with all local, state and federal regulations.			

I hereby attest to the accuracy of the information contained in this report. Further, I attest that I am a Certified Building Inspector within the meaning of the City of Sandy Springs Municipal Code, Section 105-118.

Signature: _____

No. _____