

STATE OF GEORGIA

CITY OF STOCKBRIDGE

ORDINANCE NO. OR 18-451

AN ORDINANCE TO AMEND THE ZONING CODE OF THE CITY OF STOCKBRIDGE, GEORGIA, AS AMENDED; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Stockbridge is the Mayor and Council thereof;

WHEREAS, the governing authority of the City of Stockbridge, Georgia desires to amend the Zoning Code of the City of Stockbridge to clarify certain provisions relating to the Planning Commission, formally known as the Zoning Advisory Board; and,

WHEREAS, the health, safety, and welfare of the citizens of Stockbridge, Georgia, will be positively impacted by the adoption of this Ordinance.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

Section 1. That the Stockbridge Municipal Code is hereby amended adding deleting Sections 12.10.010 through 12.10.017 with the same numbered sections attached hereto as Exhibit A.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 5. Penalties in effect for violations of the Zoning Ordinance of the City of Stockbridge at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 6. The effective date of this Ordinance shall be its date of adoption.

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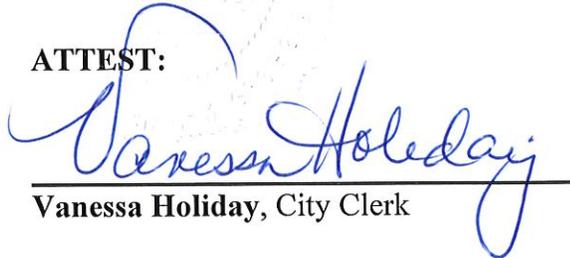
ORDAINED this 30th day of January, 2018.

CITY OF STOCKBRIDGE, GEORGIA



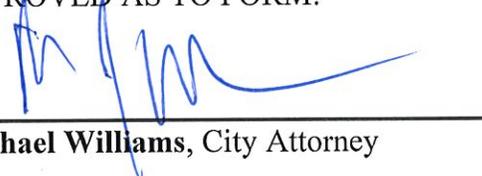
Anthony S. Ford, Mayor

ATTEST:



Vanessa Holiday, City Clerk

APPROVED AS TO FORM:



Michael Williams, City Attorney

Date Presented to Mayor: 2-2-2018

Date Received from Mayor: 2-2-2018

12.10.010 - The City of Stockbridge Planning Commission.

12.10.011 *Creation.* The City of Stockbridge Planning Commission (Planning Commission) is hereby established, and shall be referred to as the Planning Commission.

12.10.012 *Membership.*

A. Composition.

1. The Planning Commission shall be composed of six (6) qualified members.
2. Each member shall be appointed by the mayor and council. Members previously appointed to the body known as the City of Stockbridge Zoning Advisory Board by the mayor and council as of the date of the adoption of this amended Section 12.10.012 shall be deemed to be members of the Planning Commission.

B. Term of office.

1. All members shall be appointed for a term of 4 years; provided however, that in the initial appointment, 3 of the members shall be appointed for a term of 2 years. An appointment to fill any vacancy shall be for the remainder of the unexpired term of office.

C. Removal. Notwithstanding any provision to the contrary, a member may be removed by a majority vote of mayor and council.

D. Qualifications and Compensation.

1. In order to be qualified, all members shall complete training for Planning Commission members and shall receive a certificate of completion from an agency or organization competent to train appointed planning officials within one (1) year of appointment.
2. Each member shall be compensated in a manner prescribed by the mayor and council.

12.10.013 *Quorum.*

- A. Three (3) members shall constitute a quorum for the transaction of business. All rules, policies and procedures governing the Planning Commission shall be hereinafter governed by this requirement.
- B. It shall require the affirmative vote of three members of the Planning Commission to properly carry any motion before the Planning Commission.

12.10.014 *Officers.*

- A. The Planning Commission shall elect one of its appointed members as chair. The chair shall serve for one year or until re-elected or a successor is elected.
- B. A second appointed member shall be elected as vice chair and shall serve for one year or until re-elected or a successor is elected.
- C. The Planning Commission shall appoint a secretary, who may be an officer or an employee of the governing authority or a member of the Planning Commission.

12.10.015 *Meetings.*

- A. The Planning Commission shall meet once each month at a date and time established by the Planning Commission. This schedule may be altered due to unforeseen circumstances at the discretion of the Planning Commission.
- B. Additional meetings may be called according to procedures established by the Planning Commission.

12.10.016 *Rules and Operating Procedures.*

- A. The Planning Commission shall follow any by-laws and rules for the transaction of business adopted by the mayor and council.
- B. The Planning Commission shall maintain a record of its resolutions, transactions, findings, and determinations, which record shall be a public record.

12.10.017 *Duties and responsibilities.*

- A. The Planning Commission shall have the following powers and duties:
 - 1. Prepare and recommend for adoption by the City of Stockbridge a zoning ordinance or resolution and zoning map for the city. The zoning ordinance shall be contained within the Zoning Code.
- B. All city staff shall, upon request and within a reasonable time, furnish to The Planning Commission such available information as the board may require for performance of its work.
- C. Mayor and council may refer any matter to the Planning Commission for study, review, and recommendation prior to the mayor and council rendering a final decision on the matter.