

STATE OF GEORGIA

CITY OF STOCKBRIDGE

ORDINANCE NO. OR19-492

AN ORDINANCE TO AMEND THE BOUNDARIES OF THE HIGHWAY OVERLAY DISTRICT; 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 adopt regulation a highway overlay district; 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 Section 12.02.104F of the Stockbridge Municipal Code is hereby amended by deleting said section in its entirety and replacing it with the following in lieu thereof:

"F. Boundaries. This section applies to land parcels of record within the unincorporated city as depicted on Exhibit "A" to the original ordinance establishing the Highway Overlay District which is incorporated herein by reference. These boundaries are further depicted on the official zoning map adopted as amended on the date of adoption of the ordinance from which this section is derived and is incorporated herein by reference. The highway corridor overlay district boundaries include all unincorporated parcels of land abutting Highway 138 West, Highway 42 North, Jodeco Road, Eagles Landing Parkway, Hudson Bridge Road, Rock Quarry Road, East Lake Parkway, East Atlanta Road, North Henry Boulevard, Patrick Henry Parkway, Country Club Drive, Flippen Road, Walt Stephens Road, Mount Zion Parkway and Campground Road. All state routes and associated rights-of-way are within the jurisdiction of the Georgia Department of Transportation (GDOT) and any improvements within these respective rights-of-way are subject to GDOT. All property contained within any parcel subject to this section on the date of adoption of the ordinance from which this section is derived shall continue to be subject to this section, even if the parcel is subdivided in the future."

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 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.

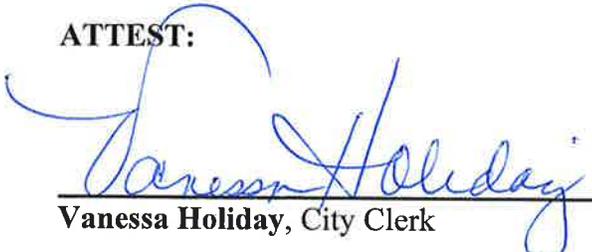
Section 6. The effective date of this Ordinance shall be the date of adoption.

ORDAINED this 14th day of October, 2019.

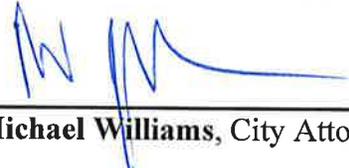
CITY OF STOCKBRIDGE, GEORGIA


Anthony S. Ford, Mayor

ATTEST:


Vanessa Holiday, City Clerk

APPROVED AS TO FORM:


Michael Williams, City Attorney

Date Presented to Mayor: 10/17/2019

Date Received from Mayor: 10/22/2019