

STATE OF GEORGIA

CITY OF STOCKBRIDGE

RESOLUTION NO. R19-1072

A RESOLUTION TO AUTHORIZE AN EXEMPTION FROM THE MORATORIUM ENACTED ON FEBRUARY 27, 2019 FOR A PROPOSED EVENT CENTER (ASSEMBLY USE) AT 114 WEST BURKE STREET; TO PROVIDE SEVERABILITY; TO PROVIDE A PENALTY; TO PROVIDE FOR REPEAL OF CONFLICTING RESOLUTIONS; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

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

**WHEREAS**, on February 27, 2019, the City imposed a moratorium on the acceptance of applications for certain uses;

**WHEREAS**, assembly uses were placed under the moratorium;

**WHEREAS**, the Council did not intend to include assembly uses in stand-alone buildings existing on a single-purpose lot under the moratorium;

**WHEREAS**, Kennedy Events LLC (the "Applicant") proposes to establish an event center (the "Development") in a stand-alone building existing on a single-purpose lot;

**WHEREAS**, the Council proposes to exempt the Development from the moratorium; and

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

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

**Section 1.** The requested exemption from the February 27, 2019 moratorium for the Development at 114 West Burke Street is hereby approved. The city staff is authorized to accept and process applications from the Applicant.

**Section 2.** The preamble of this Resolution 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 Resolution 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 Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. 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 Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution 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 Resolution and that, to

the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

**Section 4.** All resolutions and parts of resolutions 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 Resolution shall be and are hereby made applicable to this Resolution and shall remain in full force and effect.

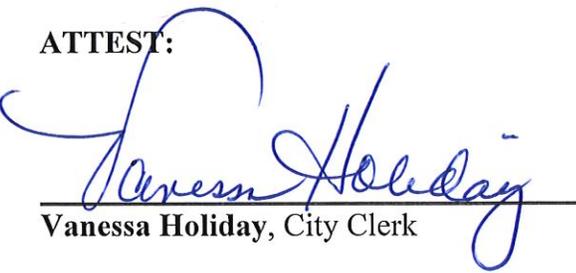
**Section 6.** The effective date of this Resolution shall be the date of adoption unless otherwise specified herein.

**RESOLVED** this 10<sup>th</sup> day of June, 2019.

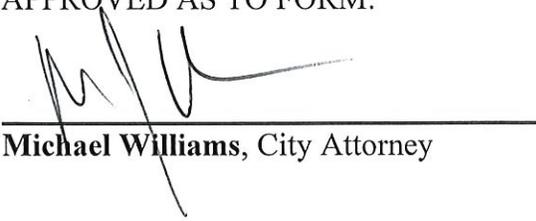
**CITY OF STOCKBRIDGE, GEORGIA**

  
\_\_\_\_\_  
**Anthony S. Ford, Mayor**

**ATTEST:**

  
\_\_\_\_\_  
**Vanessa Holiday, City Clerk**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**Michael Williams, City Attorney**