

**STATE OF GEORGIA
CITY OF COLLEGE PARK**

ORDINANCE 2018-13

AN ORDINANCE TO REVISE THE COLLEGE PARK ZONING REGULATIONS TO PROHIBIT TATTOO PARLORS IN THE CITY; 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 College Park, Georgia (the “City”) is the Mayor and Council thereof;

WHEREAS, the City of College Park’s current zoning ordinance is codified as Appendix A to the City Code; and

WHEREAS, Article 3 of the Zoning Ordinance provides for certain uses to be prohibited within all zoning districts in the City; and

WHEREAS, the Mayor and City Council find that tattoo parlors contribute to health risks and create public safety issues, including spread of infectious diseases and, therefore, the Mayor and City Council find there is no zoning district in the City where such use would be compatible with future land use plans and current zoning policies; and

WHEREAS, a properly-advertised hearing pursuant to the Georgia Zoning Procedures Act has been held by the Mayor and City Council prior to adoption of this Ordinance.

BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, GEORGIA, and by the authority thereof:

Section 1. The City of College Park zoning code as it currently exists in Appendix A to the City Code is hereby revised by adding amending Article 3 (Zoning District Intent, Uses and Standards), Section 3.1 (Prohibited Uses for All Zoning Districts) to read as follows:

Article Three – Zoning District Intent, Uses & Standards

3.1 Prohibited Uses for All Zoning Districts

The purpose of this section is to identify those land uses that are prohibited throughout the city limits within all zoning districts for ease of reference and clarity.

1. Accessory Dwellings;
2. Limited Lodging Establishments;
3. Vacation Rental Establishments;
4. Check Cashing, Outlets, Cash Advance Outlets, and Title Loan Establishments;
5. Hookah Lounges;
6. Pawnshops;
7. Teen Clubs;
8. Hair Braiding establishments not included as part of a properly permitted and licensed Hair Salon or Barber Shop; ~~and~~
9. Nightclubs; ~~and~~
10. Tattoo Artistry and/or Parlors.

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.

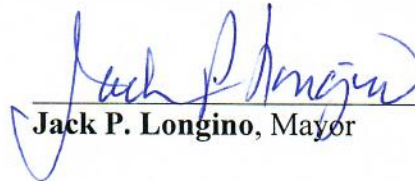
Section 4. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 5. Penalties in effect for violations of the Zoning Ordinance of the City of College Park, Georgia 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 unless otherwise specified herein.

ORDAINED, this 3rd day of December, 2018.

CITY OF COLLEGE PARK, GEORGIA




Jack P. Longino, Mayor

ATTEST:



Shavala Moore, Acting City Clerk

APPROVED BY:



Steven M. Fincher, City Attorney