

1 **STATE OF GEORGIA**

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3 **CITY OF COLLEGE PARK**

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7 **ORDINANCE NO. 2017-05**

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10 AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF
11 COLLEGE PARK, GEORGIA, CHAPTER 6 – ELECTIONS, TO CREATE NEW
12 SECTION 6-12 (“WARD RESIDENCY FOR COUNCILMEMBERS”); TO PROVIDE
13 SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES;
14 TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR
15 OTHER LAWFUL PURPOSES.

16 **WHEREAS**, the duly elected governing authority of the City of College Park,
17 Georgia (the “City”) is the Mayor and Council thereof; and

18 **WHEREAS**, the City desires to amend its Code of Ordinances to create a twelve
19 (12) month ward residency requirement for candidates for councilmember; and

20 **WHEREAS**, the City desires to amend its Code of Ordinances to create, for
21 regular elections occurring in 2017, a five (5) month ward residency requirement for
22 candidates for councilmember; and

23 **WHEREAS**, the amendments contained herein would benefit the health, safety,
24 morals and welfare of the citizens of the City of College Park.

25 **BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Council of the
26 City of College Park, Georgia, and by the authority thereof:

27 **Section 1.** That Chapter 6 (“Elections”), of the Code of Ordinances, City of
28 College Park, Georgia, is hereby amended by adding a new Section 6-12, to read and to
29 be codified as follows:

30 “Section 6-12. – Ward residency for councilmembers.

31 (a) No person shall be eligible to serve as a councilmember representing a ward
32 of the city unless that person has been a resident of such ward for a continuous
33 period of at least twelve (12) months immediately prior to the date of his or
34 her qualification as a candidate for councilmember, and if elected, he or she
35 shall continue to reside therein throughout his or her period of service.

36 (b) For any regular elections occurring in 2017, no person shall be eligible to
37 serve as a councilmember representing a ward of the city unless that person
38 has been a resident of such ward for a continuous period of at least five (5)
39 months immediately prior to the date of his or her qualification as a candidate
40 for councilmember, and if elected, he or she shall continue to reside therein
41 throughout his or her period of service.”

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

45 **Section 3.** This Ordinance shall be codified in a manner consistent with the laws
46 of the State of Georgia and the City of College Park.

47 **Section 4.** (a) It is hereby declared to be the intention of the Mayor and Council
48 that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were,
49 upon their enactment, believed by the Mayor and Council to be fully valid, enforceable
50 and constitutional.

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

56 sentence, clause or phrase of this Ordinance is mutually dependent upon any other
57 section, paragraph, sentence, clause or phrase of this Ordinance.

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

67 **Section 5.** All ordinances and parts of ordinances in conflict herewith are hereby
68 expressly repealed.

69 **Section 6.** Unless otherwise provided for herein, penalties in effect for
70 violations of the Code of Ordinances of the City of College Park at the time of the
71 effective date of this Ordinance shall be and are hereby made applicable to this Ordinance
72 and shall remain in full force and effect.

73 **Section 7.** The effective date of this Ordinance shall be the date of adoption
74 unless otherwise specified herein.

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76 [SIGNATURES CONTAINED ON FOLLOWING PAGE]


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79 **ORDAINED** this 20th day of March, 2017.

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CITY OF COLLEGE PARK, GEORGIA



JACK P. LONGINO, Mayor

ATTEST:



MELISSA BROOKS, City Clerk

APPROVED AS TO FORM:



CITY ATTORNEY