

1 STATE OF GEORGIA  
2 CITY OF COLLEGE PARK

3  
4 ORDINANCE 2016- 08

5 AN ORDINANCE AMENDING SECTION 15-7, MAIN STREET ADVISORY BOARD, OF  
6  
7 ARTICLE I, IN GENERAL, OF CHAPTER 15, PLANNING AND DEVELOPMENT, OF THE  
8 CODE OF ORDINANCES OF COLLEGE PARK, TO CHANGE THE QUALIFICATIONS  
9 AND COMPENSATION OF THE MEMBERS OF THE MAIN STREET ADVISORY  
10 BOARD; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING  
11 ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

12  
13 **WHEREAS**, the governing authority of the City of College Park (“City”) is the Mayor  
14 and Council thereof; and

15 **WHEREAS**, the City’s Code of Ordinances provides that members of the Main Street  
16 Advisory Board shall serve without compensation; and

17 **WHEREAS**, the City’s Code of Ordinances fails to require that members of the Main  
18 Street Advisory Board be residents of the City or owners of businesses located within the City;

19 and

20 **WHEREAS**, the City seeks to appoint members to its boards who have a vested interest  
21 in the City, by virtue of residence or business ownership; and

22 **WHEREAS**, the health, safety, and welfare of the citizens of College Park, Georgia, will  
23 be positively impacted by the adoption of this Ordinance.

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

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27 Section 1: The City’s Code of Ordinances is hereby amended by striking through the  
28 existing text of Section 15-7, Main Street Advisory Board, of Article I, In General, of Chapter

29 15, Planning and Development, and inserting the following text in lieu thereof, to read as  
30 follows:  
31

32 “(a) There is hereby created a Main Street Advisory Board.

33 (1) *Appointments.* The Main Street Advisory Board shall consist of five (5) members  
34 appointed by the mayor and council. Each council member shall nominate one (1)  
35 person to serve on the Main Street Advisory Board as the representative from his or  
36 her ward. The mayor shall nominate one (1) person for at large appointment. Each  
37 nomination shall be voted on by the entire governing body.

38 (2) Terms. All terms of the members of the Main Street Advisory Board shall be  
39 staggered and shall be four (4) years. All terms shall run consistent with the terms of  
40 the appointing council member and continue until a new board member is appointed  
41 to replace such board member for the ward or until such member is otherwise  
42 removed.

43 (3) Resignations, removal. The mayor and council shall have the right to remove any  
44 member of the board at any time with a majority vote of council. Any member of the  
45 board may resign at any time by submitting a resignation to the mayor and council.  
46 Any removal, whether by voluntary resignation, or by vote of council, shall become  
47 effective immediately upon the occurrence causing the removal.

48 (4) Partial terms, consecutive terms. A member appointed to fill a vacancy created by  
49 removal, death or resignation, shall serve for the unexpired term. No board member  
50 may serve more than two (2) consecutive terms. Appointment to a partial term in  
51 which two (2) or more years remain shall be considered the equivalent of one (1) full  
52 term.

53 (b) Members of the board shall be chosen for their interest and expertise in downtown  
54 revitalization. Knowledge or experience in the following areas is desired: public  
55 administration, finance, program development, advertising, public relations, design,  
56 architecture, downtown business activity, communications, historic preservation and  
57 economic development. Each member shall be paid the sum of three hundred dollars  
58 (\$300.00) per year for his or her service.

59 (c) Upon the cessation of residency or business ownership within the City, such board  
60 member shall no longer be qualified to serve on the board and, by operation of such  
61 action, shall be deemed to have resigned.

62 (d) The board shall serve in an advisory capacity to the mayor and council. The board  
63 shall prepare recommendations to the governing body for Main Street revitalization,  
64 including goals and objectives, monitor revitalization efforts, coordinate with the  
65 downtown development manager with respect to the Main Street Corridor, and assist  
66 with long-range planning.

67 (e) The board shall hold regular monthly meetings. Three (3) consecutive absences from  
68 the board shall result in vacation of the appointment without further action by the  
69 board or the governing body. The board shall establish its own rules of procedure.

70 (f) All members of the board shall take an oath of office and shall complete a training  
71 program designated by the city.

72 (g) No member of the board shall take part in deliberations or vote upon any matter in  
73 which such member is personally interested. For the purpose of this section, a  
74 "personal interest" includes consideration of any item involving property or a

75 business interest which is owned, occupied, or rented by the board member, his or her  
76 spouse, parents, children, brothers, sisters, grandparents or grandchildren, provided  
77 that such disqualification shall not apply to matters affecting such board member's  
78 personal interest in which the entire Main Street corridor is treated identically.”  
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80 Section 2. The preamble of this Ordinance shall be considered to be and is hereby  
81 incorporated by reference as if fully set out herein.

82 Section 3. This Ordinance shall be codified in a manner consistent with the laws of the  
83 State of Georgia and the City.

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

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

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

101 clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional,  
102 enforceable, and of full force and effect.

103 Section 5. All ordinances and parts of ordinances in conflict herewith are hereby  
104 expressly repealed.


105 Section 6. The effective date of this Ordinance shall be the date of adoption unless  
106 otherwise stated herein.

107 **ORDAINED** this 15<sup>th</sup> day of February, 2016.  
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CITY OF COLLEGE PARK, GEORGIA

  
Jack P. Longino, Mayor

121 **ATTEST:**

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Melissa Brooks, City Clerk

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129 **APPROVED BY:**

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134 Steven M. Fincher, City Attorney  
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