

1 **STATE OF GEORGIA**

2 **CITY OF COLLEGE PARK**

3 **ORDINANCE NO. 2018-01**

4 AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF COLLEGE PARK,
5 GEORGIA BY ENACTING SECTION 14-4 (“RESIDENCY REQUIREMENT”) IN ARTICLE
6 I (“IN GENERAL”) OF CHAPTER 14 (“PERSONNEL”) AND BY REVISING SECTION 14-
7 20 (“RESIDENCE WITHIN CITY LIMITS NOT PREREQUISITE”) IN ARTICLE II
8 (“POLICE DEPARTMENT”) OF CHAPTER 14 (“PERSONNEL”); TO PROVIDE FOR
9 SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO
10 PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER
11 LAWFUL PURPOSES.

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

14 **WHEREAS**, the governing authority desires to amend the Code of Ordinances, City of
15 College Park, Georgia to require the personnel employed by the City as certain executives,
16 managers, and/or department heads reside within the municipal limits during the period of such
17 employment; and

18 **WHEREAS**, the governing authority believes that imposing such a residency
19 requirement will ensure prompt attention to, and response by, said personnel to the concerns of
20 the City including but not limited to pressing emergency situations; and

21 **WHEREAS**, the amendments contained herein would benefit the health, safety, morals,
22 and welfare of the citizens of the City.

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

25 **Section One.** Article I (“In General”) of Chapter 14 (“Personnel”) in the Code of
26 Ordinances, City of College Park, Georgia is hereby amended by enacting Section 14-4
27 (“Residency Requirement”) therein, which shall be read and be codified as follows:

28 “Sec. 14-4. – Residency requirement.
29 Each person employed by the City in any of the following positions shall, within
30 one year from the beginning of such employment and continuing throughout such
31 employment, reside within the five-mile radius outside of the municipal limits of
32 the City designated on the map attached hereto as “Exhibit A” and incorporated
33 herein by reference:
34 (a) The Chief of Police;
35 (b) The Fire Chief;
36 (c) The Director of Public Works;
37 (d) The Director of Power; or
38 (e) The Director of Information Technology.”
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40 **Section Two.** Section 14-20 (“Residence Within City Limits Not Prerequisite”) in
41 Article II (“Police Department”) of Chapter 14 (“Personnel”) in the Code of Ordinances, City of
42 College Park, Georgia is hereby amended by striking, in its entirety, the present text contained
43 therein, and inserting new text, which shall be read and be codified as follows:

44 “Except as otherwise provided in Section 14-4, it shall not be a prerequisite for
45 law enforcement officers employed by the city to live within the municipal limits,
46 either those presently serving on the force or employed in the future; this shall be
47 a discretionary matter left solely to the governing body.”
48

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

51 **Section Four.** This Ordinance shall be codified in a manner consistent with the laws of
52 the State of Georgia and the City.

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

56 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest
57 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this
58 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this
59 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
60 greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this
61 Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase
62 of this Ordinance.

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

72 **Section Six.** All ordinances and parts of ordinances in conflict herewith are hereby
73 expressly repealed.

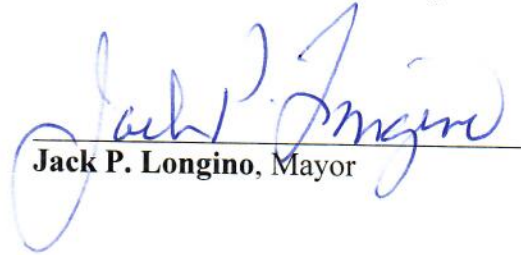
74 **Section Seven.** Unless otherwise provided for herein, penalties in effect for violations of
75 the Code of Ordinances of the City of College Park, Georgia at the time of the effective date of

76 this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full
77 force and effect.

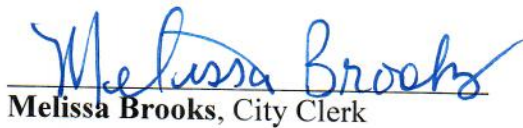
78 **Section Eight.** The effective date of this Ordinance shall be the date of adoption unless
79 otherwise stated herein.

80 **ORDAINED** this 7th day of May, 2018.

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82 **CITY OF COLLEGE PARK, GEORGIA**

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87 **Jack P. Longino, Mayor**

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90 **ATTEST:**

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94 **Melissa Brooks, City Clerk**

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98 **APPROVED AS TO FORM:**

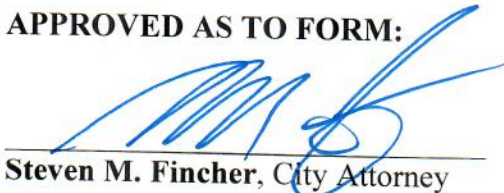
99
100 
101
102 **Steven M. Fincher, City Attorney**

EXHIBIT A

**5 Mile +/- External Boundary
outside the College Parks
Corporate Limits**

