

1 **STATE OF GEORGIA**

2 **CITY OF COLLEGE PARK**

3 **ORDINANCE 2018-_____**

4 AN ORDINANCE TO REPEAL AND REPLACE THE CITY OF COLLEGE PARK
5 ZONING ORDINANCE AND READOPT ZONING MAP; TO PROVIDE FOR
6 SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN
7 EFFECTIVE DATE; AND FOR OTHER PURPOSES.

8 **WHEREAS**, the governing authority of the City of College Park, Georgia (the “City”) is
9 the Mayor and Council thereof;

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

12 **WHEREAS**, the City Council has reviewed a rewrite of the Zoning Code and the new
13 zoning code, as attached hereto and incorporated herein as **Exhibit A**, is deemed to be best for
14 the health, safety and welfare of the citizens of the City; and

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

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

20 **Section 1.** The City of College Park zoning code as it currently exists in Appendix A to
21 the City Code is hereby repealed in its entirety and replaced in its entirety by the new zoning
22 code attached hereto and incorporated herein as **Exhibit A**, which shall be codified in its place as
23 Appendix A to the City Code.

24 **Section 2.** The current, up to date zoning map for the City of College Park, as available
25 and reviewable during the public hearing, is hereby adopted as part of the new Zoning Code, and
26 said adopted zoning map shall be available for public review in the office of the City Clerk and
27 the Zoning Administrator.

28 **Section 3.** The preamble of this Ordinance shall be considered to be and is hereby
29 incorporated by reference as if fully set out herein.

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

33 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest
34 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this
35 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this
36 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
37 greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this
38 Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase
39 of this Ordinance.

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

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

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

51 **Section 6.** Penalties in effect for violations of the Zoning Ordinance of the City of
52 College Park, Georgia at the time of the effective date of this Ordinance shall be and are hereby
53 made applicable to this Ordinance and shall remain in full force and effect.

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

56 **ORDAINED**, this ____ day of _____, 2018.

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58 **CITY OF COLLEGE PARK, GEORGIA**

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64 **Jack P. Longino, Mayor**

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66 **ATTEST:**

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70 **Melissa Brooks, City Clerk**

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72 **APPROVED BY:**

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77 **Steven M. Fincher, City Attorney**

EXHIBIT A
[NEW ZONING CODE]