

STATE OF GEORGIA

CITY OF HAPEVILLE

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 41, TRAFFIC AND MOTOR VEHICLES, ARTICLE 5, PARKING, OF THE CODE OF ORDINANCES OF THE CITY OF HAPEVILLE, GEORGIA TO PROVIDE REGULATIONS REGARDING SPECIAL EVENT OVERFLOW PARKING; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing authority of the City of Hapeville, Georgia (hereinafter the “City”) is the Mayor and Council thereof; and

WHEREAS, the governing authority of the City has the power to adopt ordinances promoting the public health, safety, and general welfare of its citizenry; and

WHEREAS, the governing authority of the City desires to regulate the standards of parking surfaces during special events; and

WHEREAS, the governing authority of the City finds it desirable and in the interest of the public health, safety, and general welfare of its citizenry to amend its ordinances accordingly.

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

Section 1. The Code of Ordinances is hereby amended by inserting a new Section 41-5-10, to be entitled Special event overflow parking, to Division I, Generally, Article 5, Parking, Chapter 41, Traffic and Motor Vehicles, to read as follows:

“Sec. 41-5-10. - Special event overflow parking.

Special events, such as festivals, grand openings, concerts, athletic events and other similar events, which have received the appropriate approval from the City, may be permitted a limited amount of unpaved parking. An unpaved parcel that does not meet all of the construction standards provided in this chapter may be used as a parking area when the special event has been authorized under the appropriate parking permit issued by the police chief for the City for a period not to exceed seventy-two (72) hours during such special events. Event organizers shall only be allowed two (2) special event parking permits per calendar year.”

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

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 All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

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

ORDAINED this _____ day of _____, 2016.

[SIGNATURES CONTINUED ON NEXT PAGE]

CITY OF HAPEVILLE, GEORGIA

Alan H. Hallman, Mayor

ATTEST:

Jennifer Elkins, City Clerk

APPROVED BY:

Steven M. Fincher, City Attorney