

1 **CITY OF HAPEVILLE**
2 **STATE OF GEORGIA**

3
4 **RESOLUTION NO. _____**

5
6 **A RESOLUTION VOICING THE OPPOSITION TO HOUSE BILL 302 BY THE CITY OF**
7 **HAPEVILLE; TO AUTHORIZE THE MAYOR TO SIGN ANY AND ALL DOCUMENTS**
8 **NECESSARY TO EFFECTUATE THIS RESOLUTION; TO AUTHORIZE THE CITY**
9 **ATTORNEY TO PREPARE ANY AND ALL DOCUMENTS NECESSARY TO**
10 **EFFECTUATE THIS RESOLUTION; TO AUTHORIZE THE CITY CLERK TO ATTEST**
11 **SIGNATURES AND AFFIX THE OFFICIAL SEAL OF THE CITY, AS NECESSARY; TO**
12 **REPEAL INCONSISTENT RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE**
13 **DATE; AND FOR OTHER PURPOSES**

14
15 **W I T N E S S E T H :**

16
17 **WHEREAS**, the City of Hapeville (“City”) is a municipal corporation duly organized and
18 existing under the laws of the State of Georgia; and

19
20 **WHEREAS**, the City wishes to request that the Representative and Senator representing
21 the City of Hapeville, along with other members of the General Assembly, vote in opposition to
22 House Bill 302 (hereinafter referred to “HB 302”); and

23
24 **WHEREAS**, HB 302 would prohibit local governments from regulating “building design
25 elements” in single or double family dwellings, which could negatively impact economic
26 development efforts and harm competitiveness; and

27
28 **WHEREAS**, appropriate local design standards and land use policies create a diverse,
29 stable, profitable and sustainable residential development landscape; and

30
31 **WHEREAS**, HB 302 is a bill that would undermine self-determination of citizens to establish
32 community standards as illustrated by the following:

- 33
34
- 35 • Municipal and county officials are elected in part to make decisions about the look and
36 feel of their communities, which fosters economic development, preserves the
37 character of communities; and
 - 38 • Municipalities and counties use design standards to ensure that the property values of
39 surrounding property owners remain protected from incompatible development; and
 - 40 • HB 302 would severely erode the ability of all 538 Georgia cities and 159 counties to
41 address unique and community-specific quality of life issues.

42 **WHEREAS**, county and municipal governments use building design standards to protect
43 property values, attract high quality builders, and block incompatible development; and
44

45 **WHEREAS**, building design standards assure residents and business owners that their
46 investments will be protected, and that others who come behind them will be equally committed
47 to quality; and
48

49 **WHEREAS**, local governments spend a large amount of resources studying, surveying,
50 crafting, and defining their vision and development strategies, and design standards are an integral
51 part of those endeavors to attract residents, businesses, and the much-coveted trained workforce;
52 and
53

54 **WHEREAS**, development and redevelopment efforts should reflect the community and its
55 vision while simultaneously creating a sense of place; and
56

57 **WHEREAS**, county and municipal government officials are elected to make decisions
58 about the look and feel of their communities, and HB 302 would transfer that power from duly-
59 elected local leaders to outside groups with little to no stake in the future or success of Georgia’s
60 municipalities, including real estate developers and homebuilders; and
61

62 **WHEREAS**, building design standards neither discourage nor favor affordable housing,
63 nor prevent the availability of certain housing types, as supporters of HB 302 purport; and
64

65 **WHEREAS**, local governments should have the ability to provide more affordable
66 housing options without sacrificing their unique character or threatening economic growth; and
67

68 **WHEREAS**, although historic districts are protected in HB 302, which indicates an
69 understanding that standards do in fact make sense, downtown overlays or other similar special
70 zoning districts are not; and
71

72 **WHEREAS**, local governments should be empowered to enforce building design
73 standards to make today’s thriving downtown tomorrow’s historic district; and
74

75 **WHEREAS**, by limiting the ability of local governments to enforce building design
76 standards in single or double family dwellings, HB 302 would negatively impact quality-of-life
77 issues, including economic growth and the safety and welfare of Georgia citizens; and
78

79 **WHEREAS**, the Mayor and Council of the City of Hapeville, in the exercise of their sound
80 judgment and discretion, after giving thorough consideration to all the implications involved, and
81 keeping in mind the public interest and welfare of the citizens of the City, have determined that
82 voicing their opinion in opposition to House Bill 302 would benefit the citizens of the City.
83

84 **THEREFORE, IT IS NOW RESOLVED BY THE CITY COUNCIL OF THE CITY**
85 **OF HAPEVILLE, GEORGIA, AS FOLLOWS:**
86

87 1. **Incorporation of Pre-Amble.** The pre-amble is incorporated herein as fully set
88 forth above.
89

90 2. **Opposition to House Bill 302.** The Hapeville City Council wishes to voice its
91 opposition to HB 302, Preemption of Local Building Design Standards, and deliver a copy of this
92 Resolution to the Representative and Senator representing the municipal limits of the City of
93 Hapeville.
94

95 3. **Authorization for Mayor.** That the Hapeville City Council hereby authorizes the
96 Mayor to execute any and all documents necessary to effectuate this Resolution. A copy of said
97 documents shall be filed with the City Clerk.
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99 4. **Attestation.** That the Hapeville City Council hereby authorizes the City Clerk or
100 Assistant City Clerk to attest the signature of the Mayor appearing on the documents, to affix the
101 official seal of the City thereto as necessary to effectuate this Resolution, and to place this
102 Resolution and an executed copy of all documents among the minutes or official records of the
103 City for future reference.
104

105 5. **Authorization for Attorney.** That the Hapeville City Council hereby authorizes
106 the City Attorney to approve this Resolution as to its form and review any and all documents
107 necessary for the City of Hapeville and to ensure all documents conform to state law.
108

109 6. **Severability.** To the extent any portion of this Resolution is declared to be invalid,
110 unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.
111

112 7. **Repeal of Conflicting Provisions.** All City resolutions are hereby repealed to the
113 extent they are inconsistent with this Resolution.
114

115 8. **Effective Date.** This Resolution shall take effect immediately.
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117 **RESOLVED** this _____ day of _____, 2019.
118

119 CITY OF HAPEVILLE, GEORGIA
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121

122 _____
123 ALAN HALLMAN, MAYOR
124
125

126 ATTEST:
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130 _____
131 CRYSTAL GRIGGS-EPPS, CITY CLERK
132 (seal)
133
134

135 APPROVED BY:

136
137
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CITY ATTORNEY

DRAFT