

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

3
4 **RESOLUTION NO. _____**

5
6 **A RESOLUTION VOICING THE OPPOSITION TO HOUSE BILL 302 AND SENATE**
7 **BILL 172 BY THE CITY OF HAPEVILLE; TO AUTHORIZE THE MAYOR TO SIGN**
8 **ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION;**
9 **TO AUTHORIZE THE CITY ATTORNEY TO PREPARE ANY AND ALL**
10 **DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; TO**
11 **AUTHORIZE THE CITY CLERK TO ATTEST SIGNATURES AND AFFIX THE**
12 **OFFICIAL SEAL OF THE CITY, AS NECESSARY; TO REPEAL INCONSISTENT**
13 **RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER**
14 **PURPOSES**

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16 *W I T N E S S E T H :*

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18 **WHEREAS**, the City of Hapeville (“City”) is a municipal corporation duly organized
19 and existing under the laws of the State of Georgia; and
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21 **WHEREAS**, the City wishes to request that the Representative and Senator representing
22 the City of Hapeville, along with other members of the General Assembly, vote in opposition to
23 House Bill 302 (hereinafter referred to “HB 302”) and Senate Bill 172 (hereinafter referred to as
24 “SB 172”) (collectively known as “Proposed Legislation”); and
25

26 **WHEREAS**, Proposed Legislation would prohibit local governments from regulating
27 “building design elements” in single or double family dwellings, which could negatively impact
28 economic development efforts and harm competitiveness; and
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30 **WHEREAS**, appropriate local design standards and land use policies create a diverse,
31 stable, profitable and sustainable residential development landscape; and
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33 **WHEREAS**, Proposed Legislation are bills that would undermine self-determination of
34 citizens to establish community standards as illustrated by the following:
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- 36 • Municipal and county officials are elected in part to make decisions about the look
37 and feel of their communities, which fosters economic development, preserves the
38 character of communities; and
39 • Municipalities and counties use design standards to ensure that the property values of
40 surrounding property owners remain protected from incompatible development; and
41 • Proposed Legislation would severely erode the ability of all 538 Georgia cities and
42 159 counties to address unique and community-specific quality of life issues.
43

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

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

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

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

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

63
64 **WHEREAS**, building design standards neither discourage nor favor affordable housing,
65 nor prevent the availability of certain housing types, as supporters of the Proposed Legislation
66 purport; and

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

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71 **WHEREAS**, although historic districts are protected in the Proposed Legislation, which
72 indicates an understanding that standards do in fact make sense, downtown overlays or other
73 similar special zoning districts are not; and

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

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

82
83 **WHEREAS**, the Mayor and Council of the City of Hapeville, in the exercise of their
84 sound judgment and discretion, after giving thorough consideration to all the implications
85 involved, and keeping in mind the public interest and welfare of the citizens of the City, have
86 determined that voicing their opinion in opposition to House Bill 302 and Senate Bill 172 would
87 benefit the citizens of the City.

88
89 **THEREFORE, IT IS NOW RESOLVED BY THE CITY COUNCIL OF THE**
90 **CITY OF HAPEVILLE, GEORGIA, AS FOLLOWS:**

92 1. **Incorporation of Pre-Amble.** The pre-amble is incorporated herein as fully set
93 forth above.

94
95 2. **Opposition to House Bill 302 and Senate Bill 172.** The Hapeville City Council
96 wishes to voice its opposition to HB 302 and SB 172, Preemption of Local Building Design
97 Standards, and deliver a copy of this Resolution to the Representative and Senator representing
98 the municipal limits of the City of Hapeville.

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100 3. **Authorization for Mayor.** That the Hapeville City Council hereby authorizes
101 the Mayor to execute any and all documents necessary to effectuate this Resolution. A copy of
102 said documents shall be filed with the City Clerk.

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104 4. **Attestation.** That the Hapeville City Council hereby authorizes the City Clerk or
105 Assistant City Clerk to attest the signature of the Mayor appearing on the documents, to affix the
106 official seal of the City thereto as necessary to effectuate this Resolution, and to place this
107 Resolution and an executed copy of all documents among the minutes or official records of the
108 City for future reference.

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

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

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

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121 8. **Effective Date.** This Resolution shall take effect immediately.

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123 **RESOLVED** this ____ day of _____, 2019.

124
125 CITY OF HAPEVILLE, GEORGIA

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127
128 _____
129 ALAN HALLMAN, MAYOR

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131
132 ATTEST:

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136 _____
137 CRYSTAL GRIGGS-EPPS, CITY CLERK

138 (seal)

139

140

141 APPROVED BY:

142

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145 _____
CITY ATTORNEY

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