

**STATE OF GEORGIA  
CITY OF HAPEVILLE**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO REVISE CHAPTER 2 (“ADMINISTRATION”), ARTICLE 2 (“MAYOR AND COUNCIL”) SECTION 2-2-5 (“RULES AND PROCEDURES OF MAYOR AND COUNCIL”) OF THE CODE OF ORDINANCES, CITY OF HAPEVILLE, GEORGIA TO PROVIDE FOR THE REGULATION OF CITY COUNCIL MEETINGS; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; 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 City’s Administration code provides for the rules and regulation of City Council Meetings; and

**WHEREAS**, the governing authority of the City finds it desirable to provide appropriate rules and procedures for the Mayor and Council Members.

**BE IT, AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HAPEVILLE, GEORGIA THAT:**

**Section One.** Section 2-2-5 (Rules and Procedures of Mayor and Council) in Chapter 2 (Administration), Article 2 (Mayor and Council) Subsection (f) (Zoning Hearing) of the City Code of Ordinances is hereby amended and revised as follows:

**Sec. 2-2-5. Rules and procedures of mayor and council.**

- (6) At the conclusion of the hearing, the Council may make a decision at its next regular public meeting, unless the decision is regarding a conditional requirement of an approved rezoning matter, a non-text amendment, Special Use Permit, or special exception, in which case the Council may make a decision at the current meeting. The director of the community development department shall notify the applicant in writing of the Council's decision. The written notification shall immediately be entered on the minutes and made a part of the record on the date that written notification is given to the applicant.

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

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

**Section Four. Severability.**

(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. Repeal of Conflicting Ordinances.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

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

**ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**CITY OF HAPEVILLE, GEORGIA**

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**Alan H. Hallman, Mayor**

**ATTEST:**

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City Clerk

**APPROVED BY:**

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City Attorney

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