

ORDINANCE NO. OR16-402

AN ORDINANCE AMENDING THE STOCKBRIDGE MUNICIPAL CODE WITH RESPECT TO CHECK CASHING BUSINESSES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

SECTION 1. That Title 9 of the Stockbridge Municipal Code is hereby amended by adding Exhibit A, attached hereto and made a part hereof, as a new Chapter 9.90.

SECTION 2. Intention of the Governing Body. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Stockbridge, Georgia, and the sections of the ordinance may be renumbered to accomplish such intention.

SECTION 3. Approval of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 5. Codification and Severability.

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

(b) It is hereby declared to be the intention of the City 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 City 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 section, paragraph, sentence, clause or phrase 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 City 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 sections, paragraphs, sentences, clauses, or phrases of the ordinance and that to the

EXHIBIT A

Chapter 9.90 - Limitation on Check Cashing Businesses

Section 9.90.010 - Purpose. The regulations of this section are established to regulate the number and location of check cashing businesses for the purpose of protecting neighborhoods from negative secondary effects created by the concentration or clustering of such businesses. Furthermore, the regulations are established to guard against market saturation which may lead to increased rates to consumers as an offset for lower business volume.

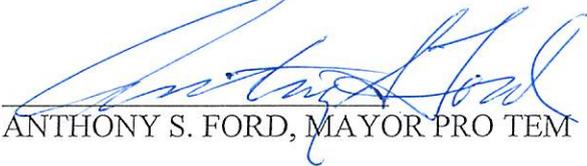
Section 9.90.020 - Definition. Check cashing business shall mean: any establishment offering check cashing services pursuant to a license issued pursuant to Article 4A of Chapter 7 of the Official Code of Georgia. The following establishments shall not be considered check cashing businesses: (a) any state or federally chartered bank, trust company, credit union, savings and loan association, or savings bank with deposits that are federally insured and (b) any business retail seller engaged primarily in the business of selling consumer goods, or that cashes checks as a service to its customers that is incidental to its main purpose or business (where check cashing fees represent less than 5 percent of its business revenue).

Section 9.90.030 - Spacing. No check cashing business shall be established on a lot or lots within 2,500 feet of another lot or lots containing an existing check-cashing business. No two check cashing businesses shall be located in the same building or on the same lot.

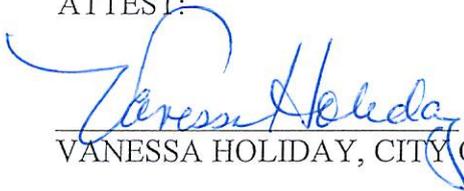
Section 9.90.040 - Maximum Number. There shall be no more than one check cashing business located within the City of Stockbridge for each 20,000 persons residing in the City as recorded in the most recent decennial U.S. Census. No additional check cashing businesses shall be established if the current number of check cashing businesses exceeds the maximum number permitted.

Section 9.90.050 - Exception. This section shall not apply to any check cashing business as defined above currently in operation prior to passage of this section.

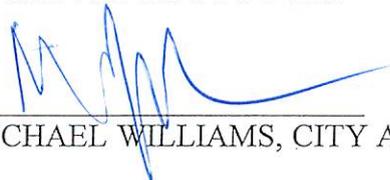
SO ORDAINED this 31st day of May, 2016.


ANTHONY S. FORD, MAYOR PRO TEM

ATTEST:

 (SEAL)
VANESSA HOLIDAY, CITY CLERK

APPROVED AS TO FORM:


MICHAEL WILLIAMS, CITY ATTORNEY

Date Presented to Mayor: 6/2/2016

Date Received from Mayor: 6/2/2016