

ORDINANCE NO. OR 13-302

ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF STOCKBRIDGE, GEORGIA RELATING TO DEALERS IN PRECIOUS METALS AND GEMS SO AS TO CLARIFY THOSE TIMES WHEN ADDITIONAL LICENSES FOR DEALERS IN PRECIOUS METALS AND GEMS MAY BE ALLOWED BASED UPON CENSUS DATA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

SECTION 1. Ordinance. That Title 9, Chapter 17, section 030, subsection C of the current Stockbridge Code be deleted, and a new Title 9, Chapter 17, section 030 , subsection C be added to the Code of Ordinances, City of Stockbridge, Georgia, so as to read as follows:

9.17.030 – Limitation on issuance.

....

- C. The City shall issue a maximum of three (3) licenses to dealers in precious metals or gems. No additional licenses shall be issued unless the population of the City of Stockbridge reaches twenty thousand (20,000) residents, at which time one additional license may be permitted for each five thousand (5,000) residents of the City over the twenty thousand (20,000) initial threshold. No application for a license to do business as a dealer in precious metals and gems shall be considered or approved or a license issued where the total number of precious metals and gems dealer licenses issued and in effect at the time of such application numbers at least one for each five thousand (5,000) residents according to the latest officially and finally published annual population estimates by the U.S. Census Bureau. In making this computation, fractions of each 5,000 residents shall not be considered. For purposes of this section, nonconforming precious metals and gems licenses shall be included for purposes of calculating the number of outstanding licenses.

....

SECTION 2. Repeal. That the existing Title 9, Chapter 17, section 030 (C) be repealed from the Code of Ordinances, City of Stockbridge, Georgia.

SECTION 3. 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 Ordinances, City of Stockbridge, Georgia, and the sections of the ordinance may be renumbered to accomplish such intention.

SECTION 4. Approval of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

SECTION 5. 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 6. 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 greatest extent allowed by law all remaining Sections, paragraphs, sentences, clauses, or phrases of the ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 7. Repeal of Conflicting Provision. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 8. Effective Date. This ordinance shall become effective immediately upon its adoption by the City Council and final approval as provided in Section 3-23 the City's Charter.

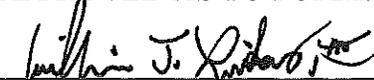
SO ORDAINED this 8th day of April, 2013.


MARK A. ALARCON, Mayor

ATTEST:

 (SEAL)
RHONDA A. BLACKMON, City Clerk

APPROVED AS TO FORM:


WILLIAM J. LINKOUS, III, City Attorney
6898.00001/713214v1