

ORDINANCE NO. 0813-308

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF STOCKBRIDGE, GEORGIA (STOCKBRIDGE MUNICIPAL CODE) RELATING TO ADMINISTRATIVE FEES, REGULATORY FEES, AND OCCUPATION TAXES SO AS TO EXPLICITLY PROVIDE THAT HOME OWNERS ASSOCIATIONS ARE EXEMPT FROM OCCUPATION TAXES; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES AND PARTS OF ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

SECTION 1. Ordinance. That Title 9 of the current Code of Ordinances, City of Stockbridge (Stockbridge Municipal Code) regarding Licensing and Regulation be amended so as to add a new subsection 11 to Chapter 9.01, Code Section 9.01.120 (A) entitled "Exemptions" of said Title 9 of the Stockbridge Municipal Code to read as follows:

...

11. Home owners associations.

...

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 Ordinances, City of Stockbridge, Georgia (Stockbridge Municipal Code), 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 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 6. Repeal of Conflicting Provision. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 7. 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
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