ORDINANCE NO. OR 13-334

AN ORDINANCE OF THE CITY OF STOCKBRIDGE AMENDING THE CODE OF THE CITY OF STOCKBRIDGE, GEORGIA SO AS TO REMOVE LANGUAGE RELATING TO DISCHARGE PERMIT FEES FOR NON-DOMESTIC KITCHENS; TO PROVIDE FOR SEVERABLITY; 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 6, Chapter 6.12, Section 6.12.165 (Regulation of non-domestic kitchen facilities) of the current Code of the City of Stockbridge, Georgia be amended by striking in its entirety subsection (C) (1) of said Code Section, and a new Title 6, Chapter 6.12, Section 6.12.165 (C) (1) be added to the Code of the City of Stockbridge, Georgia, so as to read as follows:

SECTION 6.12.165 – Regulation of non-domestic kitchen facilities.

A. ...

B. ...

C. Administrative.

1. Permit. It shall be unlawful for any food service establishment to discharge process wastewaters into the public sewer without authorization from the City of Stockbridge.

2. ...

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 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 of the City's Charter.

SO ORDAINED this 11 day of November, 2013.

Mark A. Alarcon

MARK A. ALARCON, Mayor

ATTEST:

Rhonda A. Blackmon (SEAL)

RHONDA A. BLACKMON, City Clerk

APPROVED AS TO FORM:

William J. Linkous, III

WILLIAM J. LINKOUS, III, City Attorney

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