

1 **AN ORDINANCE OF THE CITY OF STONECREST, GEORGIA, REGARDING SLUP**
2 **17-0002**

3 **WHEREAS**, the City of Stonecrest has advertised and held public hearings in front of the
4 Planning Commission and in front of the Mayor and City Council regarding SLUP 17-0002, the
5 request for a special land use permit to operate a child care institution at 3185 Evans Mills Road,
6 Stonecrest, Georgia;

7
8 **WHEREAS**, the City of Stonecrest has been vested with substantial powers, rights, and
9 functions to generally regulate the use of real property for the purposes of maintaining health,
10 morals, safety, security, peace, and the general welfare of the City; and

11
12 **WHEREAS**, the health, safety, welfare, aesthetics and morals of the citizens of the City of
13 Stonecrest, Georgia shall be improved and protected by adoption and implementation of this
14 Ordinance.

15
16 **THEREFORE**, the Mayor and City Council of the City of Stonecrest, Georgia, hereby ordain as
17 follows:

18 **Section 1:**

19 **SLUP 17-0002**, request for a special land use permit to operate a child care institution at 3185 Evans
20 Mills Road, Stonecrest, Georgia is **DENIED** for the failure to make satisfactory provisions or
21 arrangements regarding all of the factors in Sec. 7.4.6 of Article 7 of Chapter 27 of the City of
22 Stonecrest Code of Ordinances.

23
24 **Section 2:**

25 1. It is hereby declared to be the intention of the Mayor and City Council that all sections,
26 paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their
27 enactment, believed by the Mayor and City Council to be fully valid, enforceable and
28 constitutional.

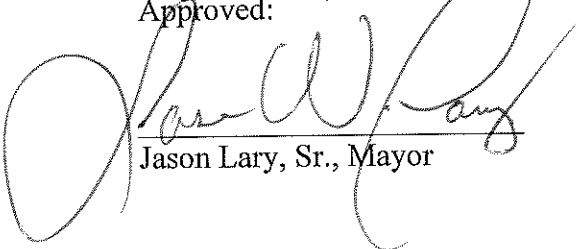
29
30 2. It is hereby declared to be the intention of the Mayor and City Council that, to the
31 greatest extent allowed by law, each and every section, paragraph, sentence, clause or
32 phrase of this Ordinance is severable from every other section, paragraph, sentence,
33 clause or phrase of this Ordinance. It is hereby further declared to be the intention of the
34 Mayor and City Council that, to the greatest extent allowed by law, no section, paragraph,
35 sentence, clause or phrase of this Ordinance is mutually dependent upon any other
36 section, paragraph, sentence, clause or phrase of this Ordinance.

37
38 3. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance
39 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise

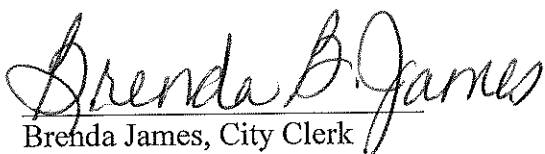
40 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is
41 the express intent of the Mayor and City Council that such invalidity, unconstitutionality,
42 or unenforceability shall, to the greatest extent allowed by law, not render invalid,
43 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,
44 sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed
45 by law, all remaining phrases, clauses, sentences, paragraphs and sections of the
46 Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.
47

- 48 4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith
49 are hereby expressly repealed.
50
51 5. The within ordinance shall become effective upon its adoption.
52
53 6. [The provisions of this Ordinance shall become and be made part of The Code of the City
54 of Stonecrest, Georgia, and the sections of this Ordinance may be renumbered to
55 accomplish such intention.]

56 **SO ORDAINED AND EFFECTIVE** this the 21 day of May 2018.

57 Approved:
58 
59
60 Jason Lary, Sr., Mayor
61
62
63

64 As to form:
65
66 
67
68 City Attorney

69 Attest:
70
71 
72 Brenda James, City Clerk
73