

**AN ORDINANCE OF THE CITY OF STONECREST, GEORGIA,
AMENDING CHAPTER 27, ARTICLE IX– DEFINITIONS
TO DEFINE SHORT TERM VACATION RENTAL**

WHEREAS, the City of Stonecrest is authorized to exercise the power of zoning Ga. Const. Art. IX, Section II, ¶ IV, Ga. Const. Art. IX, Section II, ¶¶ I and III, Official Code of Georgia Annotated (O.C.G.A.) § 36-66-1 et seq., the City’s Charter, the City’s general police powers, and by other powers and authority provided by federal, state and local laws applicable hereto; and

WHEREAS, the City of Stonecrest continues to exercise its zoning powers to provide comprehensive city planning and ensure a safe, healthy, and aesthetically pleasing community; and

WHEREAS, defining certain terms used by the city throughout the Code of Ordinances, and specifically in Chapter 27 – Zoning, provides the citizens of the City of Stonecrest, Georgia the tools necessary for understanding and implementing the Code of Ordinances; and

WHEREAS, as the City experiences growth gains knowledge through the exercise of these powers, it may become necessary to amend the definitions enumerated in the Zoning Ordinance; and

WHEREAS, this Ordinance seeks to define the term “Short Term Vacation Rental.”.

THEREFORE, the Mayor and City Council of the City of Stonecrest, Georgia, hereby ordain as follows:

Section 1: The Code of the City of Stonecrest, Georgia, is hereby amended by adding a definition to section 9.1.3 – Defined terms, which reads as follows:

Short-term vacation rental means any dwelling unit, single-family dwelling, multi-family dwelling unit, two-family dwelling, three-family dwelling, duplex, triplex, urban single-family dwelling, condominium, townhouse, cottage development, dwelling unit, and structure used for residential dwelling that permits any portion of the premises or dwelling unit to be used for individually or collectively owned single family dwelling or any unit or group of units in a condominium, cooperative, or timeshare, or owner occupied single family dwelling, that for the accommodation of transient guests, for a fee, for less than 30 consecutive days. This is also identified as "STVR".

Section 2:

1. It is hereby declared to be the intention of the Mayor and City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their

37 enactment, believed by the Mayor and City Council to be fully valid, enforceable and
38 constitutional.

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40 2. It is hereby declared to be the intention of the Mayor and City Council that, to the
41 greatest extent allowed by law, each and every section, paragraph, sentence, clause or
42 phrase of this Ordinance is severable from every other section, paragraph, sentence,
43 clause or phrase of this Ordinance. It is hereby further declared to be the intention of the
44 Mayor and City Council that, to the greatest extent allowed by law, no section, paragraph,
45 sentence, clause or phrase of this Ordinance is mutually dependent upon any other
46 section, paragraph, sentence, clause or phrase of this Ordinance.

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48 3. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance
49 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise
50 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is
51 the express intent of the Mayor and City Council that such invalidity, unconstitutionality,
52 or unenforceability shall, to the greatest extent allowed by law, not render invalid,
53 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,
54 sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed
55 by law, all remaining phrases, clauses, sentences, paragraphs and sections of the
56 Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

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58 4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith
59 are hereby expressly repealed.

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61 5. The within ordinance shall become effective upon its adoption.

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63 6. [The provisions of this Ordinance shall become and be made part of The Code of the City
64 of Stonecrest, Georgia, and the sections of this Ordinance may be renumbered to
65 accomplish such intention.]

66 **SO ORDAINED AND EFFECTIVE** this the ____ day of _____, 2018.

67 Approved:

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71 _____
72 Jason Lary, Sr., Mayor

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74 As to form:

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77 _____
78 City Attorney

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

ORDINANCE 2018-_____

79 Attest:

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83 _____
, City Clerk