

1 **AN ORDINANCE OF THE CITY OF STONECREST, GEORGIA,**
2 **AMENDING CHAPTER 27, ARTICLE IV ADDING SUPPLEMENTAL USE**
3 **REGULATIONS FOR SHORT TERM VACATION RENTALS**
4

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

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

13 **WHEREAS**, as the City of Stonecrest experiences growth and gains knowledge through the
14 exercise of these powers, it is necessary to and, amend, and/or remove certain
15 requirements in the Zoning Ordinance; and

16 **WHEREAS**, the City of Stonecrest recognizes necessity of implementing regulations which
17 protect the health, safety and welfare of its citizens as well as tourists in the city
18 who choose alternative accommodations, such as Short Term Vacation Rentals.

19 **WHEREAS**, the Zoning Procedures Law, O.C.G.A. § 36-66-1, *et seq.*, provides statutory
20 requirements which must be met by a local government to enact zoning
21 ordinances and make zoning decisions, including, requiring publication of notice
22 and public hearing prior to the enactment of zoning ordinances;

23 **WHEREAS**, the City of Stonecrest has advertised and held public hearings on _____
24 and _____ on the adoption of the amendment to Chapter 27, Article IV.

25 **WHEREAS**, this Ordinance seeks to regulate Short Term Vacation Rentals through its
26 substantial zoning powers to ensure a safe, healthy, and aesthetically pleasing
27 community for the citizens and visitors of the City of Stonecrest, Georgia.

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

30 **Section 1: The Code of the City of Stonecrest, Georgia, is hereby amended by adding**
31 **Chapter 27, Article IV, Section 4.2.58 – Short Term Vacation Rental, which reads as**
32 **follows:**

33 4.2.58 – Short Term Vacation Rental

34 The following applies to all Short Term Vacation Rentals (“STVR”):

35 A. No individual renting the property shall stay for longer than 30 consecutive days
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- 39 B. The STVR shall not be operated in such a way as to change the residential character
40 of the neighborhood in which it is located and shall comply with the noise ordinance.
41
- 42 C. There shall also be provided at least one (1) off-street parking space for each
43 bedroom used as a part of the STVR.
44
- 45 D. No signs or advertising are permitted to identify or advertise the existence of the
46 STVR, beyond those otherwise allowed for the residential property.
47
- 48 E. All STVR units shall be furnished with a telephone that is connected to a landline or
49 similar type connection, including a voice over internet protocol, in order that 911
50 dispatch may be able to readily identify the address and/or location from where the
51 call is made when dialed.
52
- 53 F. All STVR units shall post, on the inside of the front door of the rental unit, the name,
54 address and 24-hour phone or contact information for a designated manager or
55 designated contact person who shall be available at all times to respond to
56 complaints regarding the condition, operation, or conduct of occupants of the STVR.
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58 **Section 2:**

- 59 1. It is hereby declared to be the intention of the Mayor and City Council that all sections,
60 paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their
61 enactment, believed by the Mayor and City Council to be fully valid, enforceable and
62 constitutional.
63
- 64 2. It is hereby declared to be the intention of the Mayor and City Council that, to the
65 greatest extent allowed by law, each and every section, paragraph, sentence, clause or
66 phrase of this Ordinance is severable from every other section, paragraph, sentence,
67 clause or phrase of this Ordinance. It is hereby further declared to be the intention of the
68 Mayor and City Council that, to the greatest extent allowed by law, no section, paragraph,
69 sentence, clause or phrase of this Ordinance is mutually dependent upon any other
70 section, paragraph, sentence, clause or phrase of this Ordinance.
71
- 72 3. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance
73 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise
74 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is
75 the express intent of the Mayor and City Council that such invalidity, unconstitutionality,
76 or unenforceability shall, to the greatest extent allowed by law, not render invalid,
77 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,
78 sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed
79 by law, all remaining phrases, clauses, sentences, paragraphs and sections of the
80 Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.
81

- 82 4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith
83 are hereby expressly repealed.
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85 5. The within ordinance shall become effective upon its adoption.
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87 6. The provisions of this Ordinance shall become and be made part of The Code of the City
88 of Stonecrest, Georgia, and the sections of this Ordinance may be renumbered to
89 accomplish such intention.

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

91 Approved:

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Jason Lary, Sr., Mayor

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City Attorney

103 Attest:

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Brenda James, City Clerk