

**AN ORDINANCE OF THE CITY OF STONECREST, GEORGIA,
AMENDING CHAPTER 27, ARTICLE IV USE TABLE TO ADD PROVISIONS FOR
SHORT TERM VACATION RENTALS**

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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 regulating the location of residences
17 and businesses to protect the health, safety and welfare of its citizens as well as
18 tourists in the city who choose alternative accommodations, such as Short Term
19 Vacation Rentals.

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

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

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

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

31 **Section 1: Table 4.1 of Article IV, Chapter 27 of the Code of the City of Stonecrest, Georgia**
32 **is hereby amended to read as follows:**

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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 enactment, believed by the Mayor and City Council to be fully valid, enforceable and constitutional.
2. It is hereby declared to be the intention of the Mayor and 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 Mayor and 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.
3. In the event that any phrase, clause, sentence, paragraph or section 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 Mayor and 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 phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.
4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed.
5. The within ordinance shall become effective upon its adoption.
6. The provisions of this Ordinance shall become and be made part of The Code of the City of Stonecrest, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

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

Approved:

Jason Lary, Sr., Mayor

As to form:

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

ORDINANCE 2018-_____

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Attest:

City Attorney

Brenda James, City Clerk