

1 **AN ORDINANCE OF THE CITY OF STONECREST, GEORGIA, REGARDING SLUP**
2 **17-0004**

3 **WHEREAS**, the City of Stonecrest has advertised and held public hearings on February 6, 2018
4 in front of the Planning Commission and February 19, 2018 in front of the Mayor and City
5 Council regarding SLUP 17-0004, the request for a special land use permit to operate a personal
6 care home four to six persons at 4185 Panola Road, Stonecrest, GA;

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 17-0004**, a request for a special land use permit to operate a personal care home four to
20 six persons at 4185 Panola Road, Stonecrest, Georgia is **DENIED** for the failure to make
21 satisfactory provisions or arrangements regarding all of the factors in Sec. 7.4.6 of Article 7 of
22 Chapter 27 of the City of Stonecrest Code of Ordinances, including factors A., B., E., H., I., J.,
23 S., and T.

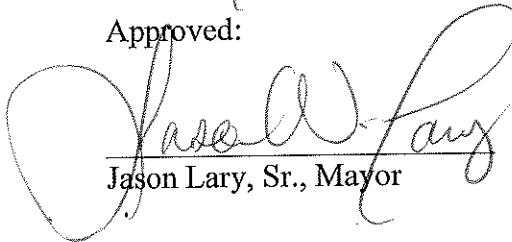
24
25 **Section 2:**

- 26 1. It is hereby declared to be the intention of the Mayor and City Council that all sections,
27 paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their
28 enactment, believed by the Mayor and City Council to be fully valid, enforceable and
29 constitutional.
- 30
31 2. It is hereby declared to be the intention of the Mayor and City Council that, to the
32 greatest extent allowed by law, each and every section, paragraph, sentence, clause or
33 phrase of this Ordinance is severable from every other section, paragraph, sentence,
34 clause or phrase of this Ordinance. It is hereby further declared to be the intention of the
35 Mayor and City Council that, to the greatest extent allowed by law, no section, paragraph,
36 sentence, clause or phrase of this Ordinance is mutually dependent upon any other
37 section, paragraph, sentence, clause or phrase of this Ordinance.

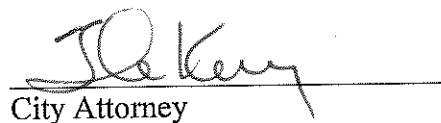
- 39 3. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance
40 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise
41 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is
42 the express intent of the Mayor and City Council that such invalidity, unconstitutionality,
43 or unenforceability shall, to the greatest extent allowed by law, not render invalid,
44 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,
45 sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed
46 by law, all remaining phrases, clauses, sentences, paragraphs and sections of the
47 Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.
48
- 49 4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith
50 are hereby expressly repealed.
51
- 52 5. The within ordinance shall become effective upon its adoption.
53
- 54 6. [The provisions of this Ordinance shall become and be made part of The Code of the City
55 of Stonecrest, Georgia, and the sections of this Ordinance may be renumbered to
56 accomplish such intention.]

57 **SO ORDAINED AND EFFECTIVE** this the 19th day of March, 2018.

58 Approved:

59 
60
61
62 Jason Lary, Sr., Mayor
63

64 As to form:

65 
66
67
68 City Attorney
69

70 Attest:

71 
72
73 Brenda James, City Clerk
74