

1 **FULTON COUNTY, GEORGIA**

2 **CITY of EAST POINT**

3
4 **AN ORDINANCE TO AMEND AND ADOPT THE OFFICIAL CITY OF EAST POINT**
5 **ZONING MAP; TO PROVIDE AN EFFECTIVE DATE AND FOR OTHER PURPOSES**
6

7 **CASE NO:**

8 **ASSOCIATED CASE NO: N/A**

9
10 **WHEREAS**, the duly elected governing authority of the City of East Point, Georgia is the Mayor and
11 Council thereof; and

12 **WHEREAS**, the governing authority is empowered to provide for the health, safety, and welfare of the
13 residents, employees, businesses, and visitors within the city; and

14
15 **WHEREAS**, the governing authority have amended the City of East Point Zoning Ordinance in order to
16 adopt the WH-I Warehouse Industrial District and the MX-CI Mixed Use Commercial Industrial District; and

17 **WHEREAS**, in accordance with Section 10-1009 – Transmittal of commission results to mayor and city
18 council of the Zoning Ordinance, the Planning and Zoning Commission of the City of East Point has forwarded its
19 recommendation to the Mayor and City Council that the official City of East Point Zoning Map be amended to show
20 the WH-I Warehouse Industrial District and the MX-CI Mixed Use Commercial Industrial District; and

21 **WHEREAS**, pursuant to the requirements of the Zoning Procedures Act and the City Zoning Ordinance, a
22 properly advertised public hearing on the amendment to the official East Point Zoning Map was held not less than 15
23 nor more than 45 days from the date of publication of notice, and which public hearing was held on the __ day of
24 _____, 2020; and

1 **WHEREAS**, after the aforementioned public hearing, the governing authority has determined that adoption
2 of the amendments to the official City of East Point Zoning Map in order to add the WH-I Warehouse Industrial
3 District and the MX-CI Mixed Use Commercial Industrial District would be in the best interests of the residents,
4 property owners, businesses and citizens of the City of East Point; and

5 **NOW, THEREFORE BE IT ORDAINED, by the Mayor and City Council of the City of East Point, Georgia, and it**
6 **is hereby ordained by the authority of same that the official City of East Point Zoning Map be amended and**
7 **adopted as depicted in Exhibit A attached hereto:**

8 **Section 1.**

9 1. That the City of East Point Zoning Map show the WH-I Warehouse Industrial District as a zoning district
10 within the City of East Point.

11 2. That the City of East Point Zoning Map show the MX-CI Mixed Use Commercial Industrial District as a
12 zoning district within the City of East Point.

13 **Section 2.** This ORDINANCE shall be codified in a manner consistent with the laws of the State of Georgia and the
14 City of East Point.

15 **Section 3.** Nothing in this Ordinance shall prevent the continued operation of any industrial use or commercial
16 parking lot or garage operating under a validly issued land use permit and/or occupation tax certificate/business
17 license as of the date of enactment of this Ordinance.

18 **Section 4.** (a) It is hereby declared to be the intention of the Mayor and Council that all Sections, paragraphs,
19 sentences, clauses and phrases of this ORDINANCE are upon, their enactment, believed by the Mayor and Council
20 to be fully valid, enforceable and constitutional.

21 (b) It is hereby declared to be the intention of the Mayor and council that, to the greatest extent allowed
22 by law, each and every section, paragraph, sentence, clause or phrase of this ORDINANCE, is severable from every
23 other section, paragraph, sentence, clause or phrase of the ORDINANCE. It is hereby further declared to be the
24 intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence,
25

1 clause or phrase of this ORDINANCE is mutually dependent upon any other section, paragraph, sentence, clause
2 or phrase of this ORDINANCE.

3 (c) In the event that any phrase, clause, sentence, paragraph, or section of this ORDINANCE for any
4 reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree
5 of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity,
6 unconstitutionally or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional
7 or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the
8 ORDINANCE and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs
9 and sections of the ORDINANCE shall remain valid, constitutional, enforceable, and of full force and effect.

10 **Section 5.** ALL ORDINANCES and parts of ORDINANCES in conflict herewith are hereby expressly repealed.

11 **Section 6.** Penalties in effect for violations of Part 1 of the Code of Ordinances, City of East Point, Georgia at the
12 time of the effective date of this ORDINANCE shall be and are hereby made applicable to this ORDINANCE and
13 shall remain in full force and effect.

14 **Section 7.** The effective date of this ORDINANCE shall be the date of adoption unless otherwise specified herein.

15
16 **Public Hearing:** _____

17
18 **First Reading:** _____

19
20 **SO PASSED AND APPROVED** this _____ day of _____ 2020.

21
22 **SPONSORED BY:**

23
24 _____
25 **Deana Holiday Ingraham, Mayor**

1 **APPROVED AS TO FORM:**

ATTEST:

2 _____
3 **Brad Bowman, City Attorney**

_____ **Keshia McCullough, City Clerk**

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