STATE OF GEORGIA
COUNTY OF CLAYTON
CITY OF MORROW

ORDINANCE NO. 2020-11

AN ORDINANCE TO AMEND TO THE CODE OF ORDINANCES, CITY OF MORROW, GEORGIA; TO CLARIFY PROVISIONS OF THE ZONING ORDINANCE REGARDING THE OPERATION OF BUS STOPS WITHIN THE CITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.

WHEREAS, the governing authority of the City of Morrow, Georgia (the "City") is the Mayor and Council thereof; and

WHEREAS, the City has determined that it is necessary to eliminate any exemptions for Metropolitan Atlanta Rapid Transit Authority's (MARTA) exclusion from certain restrictions regarding bus stops under the Zoning Ordinance of the City's Code of Ordinances;

WHEREAS, this amendment is necessary to accommodate the Mayor and Council in restoring model business practices on behalf of the citizens of the City; and

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF MORROW, GEORGIA:

Section One.

Section 814 of Article VIII of Appendix A, the "Zoning Ordinance," of the Code of Ordinances of the City of Morrow, Georgia is hereby amended by removing in its entirety paragraph "F" immediately following "E," which paragraph "F" reads as follows:

"F. No provision of this Zoning Ordinance, as it exists now or as it is from time to time amended, shall apply to the Metropolitan Atlanta Rapid Transit Authority's ("MARTA") provision of public transit service within the City for so long as there is a written agreement between MARTA and the City providing for the terms and conditions of MARTA's provision of public transit service within the city."

Section Two.

The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section Three.

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It is the intention of the mayor and council and it is hereby ordained that the provisions of this Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City, and the sections of this Ordinance may be renumbered to accomplish that intention.

Section Four.

(a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and 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 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.

(c) 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 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 this Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section Five. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section Six. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

SO ORDAINED this 13th day of October, 2020.

THE CITY OF MORROW, GEORGIA

STATE OF GEORGIA
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CITY OF MORROW

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BY: _____

John J. Lampl II, Mayor

Attest:

_____

Yasmin Julio, City Clerk

(Seal)

First reading on September 22, 2020

Second reading, public hearing and adoption on October 13, 2020