

ADVERTISED _____

PUBLIC HEARING _____

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ADOPTED _____

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ARTICLE IV, "GENERAL PROVISIONS", SECTION 417 "HOME OCCUPATIONS", TO PROVIDE THAT ALL APPLICANTS FOR HOME OCCUPATIONS MUST APPEAR BEFORE THE BOARD OF COMMISSIONERS OF BANKS COUNTY; TO PROVIDE THAT ONLY THE BOARD OF COMMISSIONERS OF BANKS COUNTY CAN APPROVE A HOME OCCUPATION; TO PROVIDE FOR AN EFFECTIVE DATE AND TO REPEAL CONFLICTING ORDINANCES AND RESOLUTIONS, AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners of Banks County adopted by resolution on March 12, 2002, the codification of Resolutions, General Resolutions and Ordinances passed by the Board of Commissioners of Banks County as "The Code of Banks County, Georgia" published by Municipal Code Corporation; and further provided for the manner of amending the Code of Banks County, Georgia;

WHEREAS, the Board of Commissioners of Banks County desires to amend ARTICLE IV Section 417 to provide for applicants for Home Occupations to appear before the Banks County Board of Commissioners.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF BANKS COUNTY, GEORGIA, AS FOLLOWS:

Section 417 entitled "HOME OCCUPATIONS" is hereby amended by adding thereto the following:

Section 417. - HOME OCCUPATIONS. **ALL APPLICANTS FOR HOME OCCUPATIONS MUST APPEAR BEFORE THE BOARD OF COMMISSIONERS OF BANKS COUNTY AND ONLY THE BOARD OF COMMISSIONERS OF BANKS COUNTY CAN APPROVE A HOME OCCUPATION.**

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All Resolutions, or Ordinances, or parts thereof, in conflict with the terms of this Resolution are hereby repealed, but it is hereby provided that any resolution, ordinance or law, which may be applicable hereto and aid in carrying out and making effective the intent, purpose and provisions hereof, which shall be liberally construed to be in favor of Banks County, is hereby adopted as part hereof.

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If any paragraph, sub-paragraph, sentence, clause, phrase, or any portion of this Resolution shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this Resolution as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Resolution not so held to be invalid. It is hereby declared to be the intent of the Board of Commissioners to provide for separable and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

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This Resolution is hereby adopted this _____ day of _____, 20____, and shall be codified as a part of the Code of Banks County, Georgia, to become effective upon the _____ day of _____, 20____, the public health, safety and general welfare demanding it.

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BANKS COUNTY BOARD OF COMMISSIONERS

Chairman

Vice Chairman

Commissioner

Commissioner

Commissioner

ATTEST:

County Clerk

County Seal

