

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF FOREST PARK, GEORGIA TO PROVIDE CERTAIN TEXT AMENDMENTS TO INCLUDE IN CHAPTER 2 BUILDING REGULATIONS, ARTICLE A-GENERAL PROVISIONS, SECTION 8-2-2 PERMITS (F) (1) CHURCHES PAY BUILDING INSPECTION FEES.

WHEREAS, the Forest Park City Council amended Section 8-2-2 -Permits of Chapter 2, Building Regulations and Code Enforcement, Article A-General Provisions March 15, 1999 with the adoption of Ordinance 99-066; and

WHEREAS, after review of Article A-General Provisions, Section 8-2-2, Permits (F)(1) it was found that churches are exempt from paying building inspection permit fees for construction that occurs in the City of Forest Park; and

WHEREAS, the building inspector does not inspect church construction projects because the city does not collect building permit fees due to the current exempt status language in the code.

NOW THEREFORE BE IT ORDAINED, that the GOVERNING BODY of the City of Forest Park, Georgia, amend the Code of Ordinances Chapter 2, Building Regulations, Article A-General Provisions, Section 8-2-2 Permits (F)(1) as follows:

SECTION 1: That Chapter 2, Building Regulations, Article A-General Provisions, Section 8-2-2 Code of Ordinances, City of Forest Park, Georgia, is hereby amended as follows:

Sec. 8-2-2. Permits.

- (a) Any person obtaining a permit for the construction, repair or demolition of any structure shall, at the time of making application for such permit, list the name and address of the person or business securing such permit, and the names and addresses of all contractors and subcontractors who shall perform any service in connection with the construction, repair or demolition of the structure for which such permit is sought. If, at the time of applying for such permit, any of such contractors and subcontractors have not been employed or contracted with, then upon the employment or entering into the contract with such contractors and subcontractors and before the performance of any service by same, such person shall immediately list their names and addresses on the form to be secured from the building inspector and file same with the building inspector.
- (b) No permit covering electrical, plumbing or mechanical installations and fixtures shall be issued to a contractor who does not possess a current certification and license from the state construction industry licensing board, provided that nothing in this section shall prevent a homeowner from installing or maintaining electrical, plumbing or mechanical work within his own property boundaries provided the work is done by himself and is used exclusively by him and his family. This owner's privilege does not convey the right to violate any of the provisions of this chapter, neither is it to be construed as exempting the property owner from obtaining a permit and having the work inspected nor from paying the required fees therefor.

- (c) In addition to the inspection of building sewer lines and connections required under the plumbing code and performed by the building inspector, final approval of line installations shall be conditional on the inspection and approval of sewer lines from point of connection to within five (5) feet of the building by the director of public services, or his designated representative.
- (d) Permits issued for the installation of fireplaces or wood burning stoves shall require final inspection and approval by the city fire marshal.
- (e) For all permits as set forth in this article, a fee shall be charged, which fee or fees shall be determined by a resolution of the mayor and council, which resolution shall be maintained on file in the office of the city clerk.
- (f) (1) Churches shall pay building inspection permit fees for construction occurring within the incorporated city limits of the City of Forest Park.***
 - (2) For the purposes of this subsection, a church shall be defined as: A place used primarily for religious worship which is not used for the purpose of producing private or corporate profit and income distributable to shareholders in corporations owning such property or to other owners of such property and where any income from such place shall be used exclusively for religious, educational or charitable purposes and/or for the purpose of maintaining the religious, educational, and/or charitable place of worship.

SECTION 2. Intention of the Governing Body. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Forest Park, Georgia, and the sections of the ordinance may be renumbered to accomplish such intention.

SECTION 3. Approval of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 5. Codification and Severability.

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

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

(c) In the event that any section, paragraph, sentence, clause or phrase 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 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 sections, paragraphs, sentences, clauses, or phrases of the ordinance and that to the greatest extent allowed by law all remaining Sections, paragraphs, sentences, clauses, or phrases of the ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 7. Repeal of Conflicting Provisions. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 8. Effective Date. This ordinance shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

SO ORDAINED this _____ day of _____, 2023.

Mayor Angelyne Butler

ATTEST:

_____ (SEAL)
City Clerk

APPROVED AS TO FORM:

City Attorney