

**STATE OF GEROGIA
DEKALB COUNTY
CITY OF STONECREST**

ORDINANCE NO. ____ - _____

**AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST,
GEORGIA TO APPROVE SPECIAL LAND USE PERMIT 22-012 ON PARCEL NUMBER
16 121 03 009 OF THE 2nd DISTRICT TO ALLOW THE OPERATION OF A LATE-
NIGHT ESTABLISHMENT AT 7173 COVINGTON HWY; TO PROVIDE
SEVERABILITY; TO PROVIDE A PENALTY; TO PROVIDE FOR REPEAL OF
CONFLICTING ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE
DATE; AND TO PROVIDE FOR OTHER LAWFUL PUPOSES.**

WHEREAS, the City of Stonecrest (“City”) has advertised and held a public hearing on
January 3, 2023 in front of the City’s Planning Commission regarding SLUP 22-012, the request
for special land use permit to allow the operation of a late-night establishment at 7173 Covington
HWY, Stonecrest, Georgia 30058; and

WHEREAS, the City of Stonecrest has been vested with substantial powers, rights, and
functions to generally regulate the use of real property for the purposes of maintain health, morals,
safety, security, peace, and the general welfare of the City; and

WHEREAS, the health, safety, and welfare of the citizens of the City will be positively
impacted by the adoption of this Ordinance.

**BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF STONECREST, GEORGIA, as follows:**

27 **Section 1.** SLUP 22-012, a request for special land use permit to operate a short-term
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29 rental at 7173 Covington HWY, Stonecrest, Georgia 30058, satisfying Section 7.4.6 of Division 4 of
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31 Article 7 in Chapter 27 of the City of Stonecrest Code of Ordinances, is **APPROVED**.
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33 **Section 2.** (a) It is hereby declared to be the intention of the Mayor and Council that all
34 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their
35 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

36 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent
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38 allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is
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40 severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is
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42 hereby further declared to be the intention of the Mayor and Council that, to the greatest extent
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44 allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually
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46 dependent upon any other section, paragraph, sentence, clause, or phrase of this Ordinance.

47 (c) In the event that any phrase, clause, sentence, paragraph, or section of this Ordinance shall, for
48 any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the
49 valid judgment or decree of any court of competent jurisdiction, it is the express intent of the
50 Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the
51 greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any
52 of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that, to
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54 the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and
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56 sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and
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58 effect.
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60 **Section 3.** The City Clerk, with the concurrence of the City Attorney, is authorized to
61 correct any scrivener's errors found in this Ordinance, including its exhibits, as enacted.

62 **Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby
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64 expressly repealed.

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66 **Section 5.** The Ordinance shall be codified in a manner consistent with the laws of the
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68 State of Georgia and the City of Stonecrest.

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70 **Section 6.** It is the intention of the governing body, and it is hereby ordained that the
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72 provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of
73
74 Stonecrest, Georgia.

SO ORDAINED AND EFFECTIVE this _____ day of _____, 2023.

[SIGNATURES TO FOLLOW]

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney