

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

ORDINANCE NO. 2024-_____

1 **AN ORDINANCE TO AMEND CHAPTER 2 (ADMINISTRATION) ARTICLE IX.**
2 **(RULES AND PROCEDURES FOR CITY COUNCIL MEETINGS AND**
3 **PUBLIC HEARINGS FOR THE CITY OF STONECREST, GEORGIA) SEC. 2-349.**
4 **(PUBLIC PARTICIPATION), OF THE CITY OF STONECREST CODE OF**
5 **ORDINANCES TO INCREASE THE TIME OF PUBLIC COMMENTS IN PUBLIC**
6 **MEETINGS FROM TWO MINUTES TO THREE MINUTES; TO PROVIDE FOR**
7 **SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN**
8 **ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR**
9 **OTHER LAWFUL PURPOSES.**

10 **WHEREAS,** the City of Stonecrest, Georgia (the “City”) is a municipal corporation
11 created under the laws of the State of Georgia; and

12 **WHEREAS,** the duly elected governing authority of the City is the Mayor and Council
13 (“City Council”) thereof; and

14 **WHEREAS,** the City Council shall have the authority to adopt and provide for the
15 execution of such ordinances, resolutions, policies, rules, and regulations, which it shall deem
16 necessary, expedient, or helpful for the peace, good order, protection of life and property, health,
17 welfare, sanitation, comfort, convenience, prosperity, or well-being of the inhabitants of the City
18 of Stonecrest and may enforce such ordinances by imposing penalties for violation thereof; and

19 **WHEREAS**, CHAPTER 2 (ADMINISTRATION) ARTICLE V (RULES AND
20 PROCEDURES FOR CITY COUNCIL MEETINGS AND PUBLIC HEARINGS FOR THE
21 CITY OF STONECREST, GEORGIA) SEC. 2-349. (PUBLIC PARTICIPATION) (“Public
22 Participation Ordinance”) of the City of Stonecrest Code of Ordinances provides for the amount
23 of time that each member of the public can deliver public comments to the governing body, any
24 committee of the members of the governing body or a quorum of any committee created by the
25 governing body; and

26 **WHEREAS**, the City Council desires to amend the text of the Public Participation
27 Ordinance to increase the time of public comments in public meetings from two minutes to three
28 minutes; and

29 **WHEREAS**, the City Council finds that it is the best interest of the City to amend the
30 Public Participation Ordinance.

31 **NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR
32 AND COUNCIL OF THE CITY OF STONECREST, GEORGIA and by the authority
33 thereof:**

34 **Section 1.** The Code of Ordinances, City of Stonecrest, Georgia is hereby amended by revising
35 CHAPTER 2 (ADMINISTRATION) ARTICLE V (RULES AND PROCEDURES FOR CITY
36 COUNCIL MEETINGS AND PUBLIC HEARINGS FOR THE CITY OF STONECREST,
37 GEORGIA) SEC. 2-349. (PUBLIC PARTICIPATION) by adopting the provisions set forth in
38 Exhibit A attached hereto and made a part by reference.

39 **Section 2.** That the amended ordinance be read and codified as follows with added text in **red**
40 **font, bold and underlined** and deleted text in **red and strikethrough** font.

41 **Section 3.** The preamble of this Ordinance shall be considered to be and is hereby incorporated
42 by reference as if fully set out herein.

43 **Section 4.** (a) It is hereby declared to be the intention of the Mayor and Council that all
44 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their
45 enactment, believed by the Mayor and Council to be fully valid, enforceable, and constitutional.

46 (b) It is hereby declared to be the intention of the Mayor and Council that, to the
47 greatest extent allowed by law, each and every section, paragraph, sentence, clause, or phrase of
48 this Ordinance is severable from every other section, paragraph, sentence, clause, or phrase of this
49 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
50 greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance
51 is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of this
52 Ordinance.

53 (c) In the event that any phrase, clause, sentence, paragraph or section of this
54 Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise
55 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the
56 express intent of the Mayor and Council that such invalidity, unconstitutionality or
57 unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional
58 or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or
59 sections of this Ordinance and that, to the greatest extent allowed by law, all remaining phrases,
60 clauses, sentences, paragraphs and sections of this Ordinance shall remain valid, constitutional,
61 enforceable, and of full force and effect.

62 **Section 5.** The City Clerk, with the concurrence of the City Attorney, is authorized to
63 correct any scrivener's errors found in this Ordinance, including its exhibits, as enacted.

64 **Section 6.** All ordinances and parts of ordinances in conflict herewith are hereby expressly
65 repealed to the extent of the conflict only.

66 **Section 7.** The effective date of this Ordinance shall be the date of its adoption by the
67 Mayor and Council unless otherwise stated herein.

68 **Section 8.** The Ordinance shall be codified in a manner consistent with the laws of the
69 State of Georgia and the City of Stonecrest.

70 **Section 9.** It is the intention of the governing body, and it is hereby ordained that the
71 provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of
72 Stonecrest, Georgia and the sections of this Ordinance may be renumbered to accomplish such
73 intention.

SO ORDAINED this ____ day of _____, 2024.

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

74 **Sec. 2-349. Public participation.**

75 Public participation in meetings of the City Council shall be permitted in accordance with the provisions of
76 this section.

77 (a) *Public Comments.* The floor shall be open for public comments at one point during the meeting. The
78 public comments section will be provided immediately following the approval of the minutes. This
79 public comments period will last a maximum of 30 minutes, and speakers' comments will be limited to
80 ~~two~~ **three** minutes each.

81 All members of the public wishing to address the City Council shall submit their name and the
82 topic of their comments to the city clerk prior to the start of any meeting held by the City Council.
83 Individuals will be held to established time limits.

84 (b) *Public Hearings.* The City Council may schedule public hearings for the purpose of soliciting public
85 comment on any subject of interest to the City Council. Hearings may be held immediately prior to,
86 during, or following a meeting of the City Council or at such other places and times as the City Council
87 may determine. Hearings may last up to, but not more than ten minutes per side. These limits may be
88 waived by a Majority Vote. No official action shall be taken during any such public hearing. Hearings on
89 zoning decisions shall be governed in accordance with the zoning policies and procedures. If the
90 applicants of rezoning actions or individuals who wish to oppose or support a rezoning action have
91 contributed more than \$250.00 to the campaign of a Councilmember, the individual shall file a
92 campaign disclosure form prior to the first hearing by the City Council.

93 (c) *Decorum.* Members of the public shall not make inappropriate or offensive comments at a City Council
94 meeting and are expected to comply with the rules of decorum that are established for
95 Councilmembers. Individuals violating any rules of the City Council may be ruled out of order by the
96 Mayor. An individual violating the rules of decorum may be removed from the meeting at the direction
97 of the Mayor.

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