

ORDINANCE 2020 - 016
1st reading and Introduction: July 20, 2020
2nd reading: August 17, 2020

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE RELATING TO THE OPERATION OF EMISSIONS FACILITIES IN THE NEIGHBORHOOD RETAIL COMMERCIAL DISTRICT AND THE OPERATION OF OUTDOOR CAFES ACCESSORY TO RESTAURANTS; TO AMEND THE UNIFIED DEVELOPMENT CODE RELATING TO THE USE OF FIREWORKS IN THE CITY OF POWDER SPRINGS; TO AMEND THE CODE OF ORDINANCES RELATING TO THE NOISE REGULATIONS AND THE USE OF FIREWORKS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the Mayor and Council of the City of Powder Springs have heretofore adopted the Unified Development Code of Powder Springs, Georgia (“the UDC”); and

WHEREAS, the Mayor and Council desire to apply certain guidelines to allow a sidewalk café as accessory to a restaurant, consider additional restrictions on outdoor storage and to review permitted uses in the commercial zoning districts.

WHEREAS, the Mayor and Council previously ordained in its Code of Ordinances that certain activities are subject to time and manner regulations to mitigate the impact of noise resulting from said activities;

WHEREAS, the Mayor and Council desire to amend its Code of Ordinances relating to noise resulting from use of fireworks;

NOW THEREFORE, the Mayor and Council of the City of Powder Springs hereby ordain that the UDC and the Code of Ordinances shall be and is hereby amended as follows:

SECTION ONE

The Code of Ordinances is amended by adding language regarding the use of fireworks as set forth in the attached Exhibit A.

SECTION TWO

The UDC is amended by adding specific use provisions regarding Emissions and sidewalk cafes and allowing emission as accessory use to existing auto repair as set forth in the attached Exhibit B.

SECTION THREE

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

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SECTION FOUR

If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance 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 Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

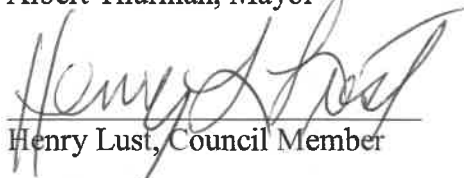
SECTION FIVE

This ordinance shall become effective five (5) days after its adoption by the City Council.

SO ORDAINED, this 17th day of August, 2020.



Albert Thurman, Mayor



Henry Lust, Council Member



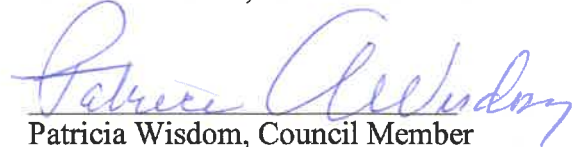
Doris Dawkins, Council Member



Thelma C. Farmer, Council Member



Patrick Bordelon, Council Member



Patricia Wisdom, Council Member

ATTEST:



Kelly Axt, City Clerk