

1 **STATE OF GEORGIA**  
2 **COUNTY OF FULTON**  
3 **CITY OF SOUTH FULTON**

**ORD 2019-032**

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7 **AN ORDINANCE INCREASING THE BLIGHTED PROPERTY ABATEMENT FUND,**  
8 **AMENDING TITLE 1, ADMINISTRATION, CHAPTER 12, CODE ENFORCEMENT, OF**  
9 **THE CITY CODE OF ORDINANCES AND FOR OTHER LAWFUL PURPOSES**

10 **(Sponsored by Councilperson khalid)**

11  
12 **WHEREAS**, the City of South Fulton ("City") is a municipal corporation duly  
13 organized and existing under the laws of the State of Georgia;

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15 **WHEREAS**, the duly elected governing authority of the City is the Mayor and  
16 Council thereof ("City Council");

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18 **WHEREAS**, the City desires to amend its code of ordinance through this  
19 Ordinance to support successful code enforcement operations by ensuring said operation  
20 are properly funded; and

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22 **WHEREAS**, this Ordinance is in the best interests of the health and general  
23 welfare of the City, its residents and general public.

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25 **THE CITY COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS** as  
26 follows:

27 **Section 1.** It is hereby ordained by the City Council that Title 1, Administration,  
28 Chapter 12, Code Enforcement, Section 1-12004, Code Enforcement and Abatement  
29 Funding, is hereby amended to read as:

30 **TITLE 1. - ADMINISTRATION**

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32 **Chapter 12. - Code Enforcement**

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35 **Sec. 1-12004 – Code Enforcement and Abatement Funding**

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37 One hundred percent of all fines, fees, liens and judgments in Code Enforcement actions,  
38 minus Municipal Court costs, plus one tenth of one percent of the City's Annual Budget,  
39 shall be allocated by the City Finance Officer to a Blighted Property Abatement Fund.  
40 Such funds shall be used, as directed by the Department of Community and Regulatory  
41 Affairs, towards abating, fixing, repairing, protecting, boarding, seizing, managing and/or

42 demolishing of blighted or abandoned properties and/or taking other necessary action for  
43 code enforcement purposes.

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46 **Section 2.** It is hereby declared to be the intention of the City Council that: (a) All  
47 sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were,  
48 upon their enactment, believed by the City Council to be fully valid, enforceable and  
49 constitutional.

50 (b) To the greatest extent allowed by law, each and every section, paragraph,  
51 sentence, clause or phrase of this Ordinance is severable from every other section,  
52 paragraph, sentence, clause or phrase of this Ordinance. No section, paragraph,  
53 sentence, clause or phrase of this Ordinance is mutually dependent upon any other  
54 section, paragraph, sentence, clause or phrase of this Resolution.

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

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63 **Section 3.** All Ordinance and Resolutions in conflict herewith are hereby expressly  
64 repealed.

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66 **Section 4.** The City Attorney, City Clerk and contracted City Codifier are authorized  
67 to make non-substantive formatting and renumbering edits to this ordinance for proofing,  
68 codification, and supplementation purposes. The final version of all ordinances shall be  
69 filed with the clerk.

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71 **Section 5.** The effective date of this Ordinance shall be on the date as set forth under  
72 Sec. 3.21 of the City Charter unless provided otherwise by applicable local, state and/or  
73 federal law.

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THIS ORDINANCE so adopted this 12<sup>th</sup> day of November 2019.

**CITY OF SOUTH FULTON, GEORGIA**

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WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

\_\_\_\_\_  
*S. Diane White*  
S. DIANE WHITE, CITY CLERK



APPROVED AS TO FORM:

\_\_\_\_\_  
*Emilia C. Walker*  
EMILIA C. WALKER, CITY ATTORNEY

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135 The foregoing Ordinance No. 2019-032 was moved for approval by Councilmember  
136 khalid. The motion was seconded by Councilmember Baker, and being put to a  
137 vote, the result was as follows:

	AYE	NAY
141		
142 William "Bill" Edwards, Mayor	_____	_____
143 Mark Baker, Mayor Pro Tem	_____x_____	_____
144 Catherine Foster Rowell	_____	_____x_____
145 Carmalitha Lizandra Gumbs	_____	_____x_____
146 Helen Zenobia Willis	_____	_____x_____
147 Gertrude Naeema Gilyard	_____x_____	_____
148 Rosie Jackson	_____x_____	_____
149 khalid kamau	_____x_____	_____
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## MAYOR'S SIGNATURE PAGE

The mayor, within ten (10) business days following receipt of an ordinance, shall return it to the city clerk with or without the mayor's approval or with the mayor's veto. If an ordinance has been approved by the mayor or if it is returned to the city clerk neither approved nor disapproved, it shall become law upon its return to the city clerk. However, if the mayor fails to return an ordinance to the city clerk within ten (10) business days of receipt, it shall become law at 12:00 Midnight on the tenth business day after receipt.

The mayor acknowledges receipt of the noted Item listed below:

**Date of Adoption:** 11/12/2019    **Item Number:** Ord2019-032

**Subject:** Ordinance Increasing the Blighted Property Abatement Fund – Amending Title 1 Administration – Chapter 12 Code Enforcement

**Date Received by Mayor:** 11/14/2019

APPROVED

DISAPPROVED

**Mayor's Signature:** (Mayor did not sign)  
WILLIAM "BILL" EDWARDS

**Date to City Clerk:** 11/15/2019