

1 **STATE OF GEORGIA**
2 **COUNTY OF FULTON**
3 **CITY OF SOUTH FULTON**
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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)**
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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 _____ day of _____ 2019.

CITY OF SOUTH FULTON, GEORGIA

WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

S. DIANE WHITE, CITY CLERK

APPROVED AS TO FORM:

EMILIA C. WALKER, CITY ATTORNEY