

First Read: _____
Second Read: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF MOUNTAIN PARK, GEORGIA, AMENDING CHAPTER 117 OF THE CITY'S CODE, PERTAINING TO LAND USE; AND FOR OTHER PURPOSES, AT THE REGULAR MEETING OF THE CITY COUNCIL HELD ON THE _____ DAY OF _____, 2019.

WHEREAS, the Mayor and City Council wish to amend Chapter 117 of the City's Code, pertaining to Land Use, to better regular the appearance of properties in the City in order to protect the aesthetic environment of the City, to protect property values, and to protect traffic safety; and

WHEREAS, the Mayor and City Council find that such amendments will better protect the public welfare; and that therefore these provisions are necessary to protect the health, safety, and public welfare of the City and its citizens.

NOW THEREFORE, the Council of the City of Mountain Park hereby ordains that Chapter 117 of the Code of the City of Mountain Park, Georgia, shall be amended as follows:

SECTION ONE

Section 117-10 of the Code of Mountain Park, Georgia shall be amended, replaced and restated as follows:

Sec. 117-10. - Appearance of property; parking of recreational vehicles.

(a) No land within the corporate limits of the City, whether or not used for residential structures, shall be used for the collection and deposit of garbage, trash, debris, equipment, appliances, furniture, or derelict or inoperable vehicles. Violation of this section shall be deemed a health hazard and a public nuisance.

(b) No automobile, vehicle or trailer of any kind or type, which is inoperable or without current and valid license and registration, shall be parked or kept on any property unless it shall be in a completely enclosed building, or except and expressly provided herein.

(c) Functional and operational recreational vehicles, campers, boats and trailers may be parked in the side and rear yards of properties. Such vehicles may only be parked in the front yard of properties with a special permit issued by the City council upon consideration of the following factors:

- (1) is there a feasible side or rear yard or an enclosed structure in which the vehicle may be parked; and,
- (2) is there a suitable location in the front yard where the vehicle may be parked, considering traffic safety and the aesthetic appearance of the neighborhood?

(d) In all instances where the owner of any junk, inoperative, unregistered, or abandoned motor vehicle and/or trailer refuses to remove, enclose or register (or, if requested, refuses to give consent for the City to remove) any such vehicle or trailer currently in violation of this ordinance, the City shall be empowered to seek an order from a court of competent jurisdiction authorizing the City to remove and dispose of such vehicle or trailer. Such orders shall be authorized if the vehicle has been in violation of this ordinance for more than 20 days.

(e) For purposes of repair or restoration, one inoperable or unregistered vehicle may be kept in the rear yard of a property, provided it is not visible from the street, is screened from all neighbors by a privacy fence in the rear yard, and is repaired or restored, removed, or placed in a fully enclosed building within six months. Such vehicle shall not be stored in any side yard or any setback or buffer area.

SECTION TWO

- A. All other ordinances and resolutions, or parts of said ordinances or resolutions, in conflict herewith are hereby repealed.
- B. This ordinance amendment shall take effect immediately upon adoption, the public welfare demanding; provided that any person currently parking an operational recreational vehicle in violation of this ordinance shall have 30 days after the adoption thereof to relocate the vehicle or apply for a special permit under this ordinance before any citation shall issue.
- C. The provisions of this ordinance are severable; in the event that a court of competent jurisdiction finds that any provision of this ordinance is unlawful or unconstitutional, such provision shall be severed and the remaining provisions of this ordinance remain in force as if adopted separately from the severed portion.

SO ADOPTED THIS THE _____ DAY OF _____, 2019.

MOUNTAIN PARK, GEORGIA

Jim Still, Mayor

ATTEST:

Karen Segars, City Clerk