

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF MOUNTAIN PARK, GEORGIA, AMENDING ARTICLE IV OF CHAPTER 113 OF THE CODE OF THE CITY OF MOUNTAIN PARK, GEORGIA, PERTAINING GENERALLY TO NUISANCES AND HAZARDS, REGULATING AND PROVIDING FOR THE ABATEMENT OF NUISANCE VINES; AND FOR OTHER PURPOSES AT THE REGULAR MEETING OF THE CITY COUNCIL HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

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**WHEREAS**, the Mayor and City Council wish to amend Article IV of Chapter 113 of the Code of the City of Mountain Park, Georgia, pertaining generally to Nuisances, to regulate and provide for the abatement of nuisance vines; 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 Article IV of Chapter 113 of the Code of the City of Mountain Park, Georgia, shall be amended as follows:

SECTION ONE

**A. Section 113-151 of Article IV of Chapter 113 of the Code of the City of Mountain Park, Georgia, is hereby amended and restated as follows:**

**Sec. 113-151. - Certain weeds, grasses and plants declared a nuisance; exemptions.**

- (a) Any weeds such as jimson, burdock, ragweed, thistle, cocklebur or other weeds of a like kind found growing on any lot or tract of land in the city, and any weeds, grasses or plants other than trees, bushes, flowers or other ornamental plants growing to a height exceeding 12 inches anywhere in the city are declared to be a nuisance, subject to abatement as provided in this article.
- (b) Garden flowers, vegetables, cultivated agricultural crops, ornamental shrubbery and trees shall not be considered weeds, grass or vegetation within the meaning of this article.
- (c) Any vine, including but not limited to, English ivy, kudzu, wisteria and honeysuckle exceeding 36 inches in height and growing on any tree is declared to be a nuisance, and is subject to abatement as provided in this article.

SECTION TWO

- A. **All other Ordinances and Resolutions, or parts of said Ordinances or Resolutions, in conflict herewith are hereby repealed, except to the extent said Ordinances are more restrictive than this Ordinance.**
- B. **This Ordinance amendment shall take effect immediately upon adoption, the public welfare demanding.**
- 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, it is the express intent of the City Council that such provision be severed and the remaining provisions of this Ordinance remain in force as if adopted separately from the severed portion.**

SO ORDAINED AND ADOPTED BY THE CITY COUNCIL THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

MOUNTAIN PARK, GEORGIA

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Jim Still, Mayor

ATTEST:

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Karen Segars, City Clerk