

AN ORDINANCE TO AMEND THE ANIMAL CONTROL REGULATIONS CODE OF THE CITY OF COMER, GEORGIA .

THE COUNCIL OF THE CITY OF COMER HEREBY ORDAINS:

WHEREAS, the Mayor and City Council have determined that it is in the best interests of and consistent with the convenience and necessity of the City of Comer to amend its city code, the following action is taken:

SECTION 1. THE CODE OF ORDINANCES OF THE CITY OF COMER, GEORGIA, IS HEREBY AMENDED BY ADDING SECTION 30-214.1 THROUGH 30-214.3, TO READ AS FOLLOWS:

Section 30-214 Enforcement of Animal Control Regulations by the County

1. The City hereby adopts the Madison County Animal Control Ordinance as of the effective date hereof, and as hereafter amended, for the sole purpose of enforcement by Madison County Animal Control Officers within the corporate city limits of the City of Comer. Any reference in the County Animal Control Ordinance to "unincorporated areas" of Madison County shall include those areas within the corporate city limits of the City of Comer for purposes of this Ordinance. The "Madison County Animal Control Ordinance" referred to herein is that Ordinance for the Control, Regulation, and Disposition of Animals adopted by the Madison County Board of Commissioners on October 25, 2005, as amended and as may be hereafter amended.
2. Madison County Animal Control Officers shall have the express authority to enforce the Madison County Animal Control Ordinance within the Comer city limits. This authority shall be set forth in an Intergovernmental Agreement for Animal Control Between Madison County and the City of Comer, Georgia.
3. The City will still maintain authority to enforce the Comer Animal Control Ordinance (Comer City Code, Chapter 30: Animal Regulation and Control), within the city limits of Comer.

SECTION 2. LIABILITY

Neither the approval of any action under the provisions of this ordinance, nor the compliance with provisions of this ordinance, shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the Mayor or City Council for damage to any person or property.

SECTION 3. CONFLICTS BETWEEN SPECIFIC AND GENERAL PROVISIONS.

Where there is an apparent conflict in this Ordinance between specific and general provisions, it is the intention hereof that the specific shall control.

SECTION 4. SEVERABILITY.

If any section, provision, 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 individuality 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 that this Ordinance would have been adopted had such invalid portion not been included herein.

SECTION 5. REPEAL OF CONFLICTING PROVISIONS.

All ordinances or parts of ordinances in conflict with this ordinance, and not preserved hereby, are hereby repealed.

SECTION 6. EFFECTIVE DATE

This Ordinance shall become effective immediately after its passage and approval in the manner prescribed by law.

Passed and approved this 9th day of OCTOBER, 2007, at a meeting of the Mayor and Council of the City of Comer, Georgia.

William E. Burroughs, Mayor, City of Comer

Attest:

Stephen H. Sorrells, City Clerk
[CITY SEAL]

Approved as to Legal Form:

Victor Y. Johnson, City Attorney