

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

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF COMER, GEORGIA:

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 the Zoning Ordinance for Comer, Georgia (1999), as incorporated by reference into Section 34-101 of The Code of The City of Comer, Georgia, the following action is taken:

SECTION 1. THE ZONING ORDINANCE FOR COMER, GEORGIA (1999) IS HEREBY AMENDED BY ADDING A NEW SECTION 13.2.1.1, TO READ AS FOLLOWS:

“13.2.1.1 When an application for amendment is to rezone a smaller parcel of land for subdivision out of a larger parent parcel of land, and no survey exists of the smaller parcel to be considered for rezoning, a diagram of the area to be subdivided (containing the same information required by the survey in Section 13.2.1 above) may be submitted with the application to rezone in place of a survey of the smaller parcel; provided that the diagram submitted is approved by the Zoning Administrator based on the requirements of Section 13.2.1; and further provided that if the application for amendment is approved by the Mayor and Council, such approval is conditioned upon final approval thereafter by the Zoning Administrator of a survey prepared by a licensed surveyor of the property to be rezoned that accurately depicts the area to be subdivided as indicated by the above-referenced diagram.”

SECTION 2. LIABILITY

1. 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 5th day of October, 1999, at a meeting of the Mayor and Council of the City of Comer, Georgia.

Cliff Yarbrough, Mayor, City of Comer

Attest:

Steve Sorrells, City Clerk

Approved as to Legal Form:

Victor Y. Johnson, City Attorney