

AN ORDINANCE TO AMEND THE 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 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 DELETING SECTIONS 7.13.2.2 THROUGH 7.13.2.6 AND 7.13.2.8, AND BY ADDING SECTIONS 7.13.1.5 THROUGH 7.13.1.10, SO AS TO CHANGE RESIDENTIAL DWELLINGS AND HOME OFFICE FROM CONDITIONAL TO PERMITTED USE IN THE BR DISTRICT, TO READ AS FOLLOWS:

7.13.2 Conditional Uses.

- 7.13.2.2 (reserved)
- 7.13.2.3 (reserved)
- 7.13.2.4 (reserved)
- 7.13.2.5 (reserved)
- 7.13.2.6 (reserved)
- 7.13.2.8 (reserved)

7.13.1 Permitted Uses.

- 7.13.1.5 Dwelling, single-family, detached
- 7.13.1.6 Dwelling, two-family.
- 7.13.1.7 Dwelling, multi-family.
- 7.13.1.8 Garage apartment.
- 7.13.1.9 Apartments.
- 7.13.1.10 Home office.

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 7 day of January, 2003, 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