

(Residential) ORDINANCE NO. _____

ORDINANCE TO ESTABLISH A SPECIAL TAX DISTRICT FOR THE PROVISION OF STREET LIGHTS AS PROVIDED IN ARTICLE 9, SECTION 2, PARAGRAPH VI OF THE CONSTITUTION OF THE STATE OF GEORGIA AND CHAPTER 3.10 OF THE CODE OF ORDINANCES OF THE CITY OF LOCUST GROVE, GEORGIA; TO ESTABLISH THE AMOUNT OF INITIAL ASSESSMENT; TO TRANSMIT THIS ORDINANCE TO THE TAX COMMISSIONER OF HENRY COUNTY; TO PROVIDE SEVERABILITY; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

W I T N E S S E T H :

WHEREAS, the City of Locust Grove, Georgia (“City”) held a public hearing on _____ to establish a SPECIAL TAX DISTRICT for certain parcels of land lying and located within the incorporated boundaries of the City; and,

WHEREAS, the City has considered a petition signed by one hundred percent of the property owners of the land lying said parcels of land as shown in **Exhibit “A”** (as attached hereto and incorporated herein); and,

WHEREAS, the petition has the minimum requirement of seventy-five percent (75%) votes in the affirmative for creation of the special tax district regarding street lights; and,

WHEREAS, a plat or map is attached to said petition depicting the boundaries of said special tax district as shown in **Exhibit “B”** (as attached hereto and incorporated herein); and,

WHEREAS, notice of this matter (as attached hereto and incorporated herein) as **Exhibit “C”**) has been provided in accordance with applicable state law and local ordinances;

WHEREAS, the Mayor and City Council in the exercise of their sound judgment and discretion, after giving thorough thought to all implications involved, and keeping in mind the public interest and welfare to the citizens of the City, have determined this amendment to be in the best interests of the citizens of the City, that this Resolution be adopted.

THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS

Section I. Authorization. That the Locust Grove City Council hereby creates a special tax district for _____ Subdivision.

Section II. Creation of Initial Assessment Amount. That the initial assessment for the purposes of street lights within the special district shall be _____ DOLLARS and _____ CENTS per parcel of land within said district, which may change from time to

time per Chapter 3.10 of the Code of Ordinances.

Section III. Severability

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

Section IV. This ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

Section V.

- A. It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.
- B. It is hereby declared to be the intention of the City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other Section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other Section paragraph, sentence, clause or phrase of this Ordinance.
- C. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining Sections, paragraphs, sentences, clauses, or phrases of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section VI. Repeal of Conflicting Provisions. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section VII. Effective Date. This ordinance shall become effective **immediately** upon/of its adoption by the Mayor and Council of the City of Locust Grove.

SO ORDAINED this _____ day of _____.

LORENE LINDSEY, MAYOR

ATTEST:

THERESA BREEDLOVE, CITY CLERK
(seal)

EXHIBIT "A"

**PETITION DATED _____ REPRESENTING THE
SIGNATURES OF ONE HUNDRED PERCENT (100%) OF PROPERTY
OWNERS OF THE SPECIAL TAX DISTRICT.**

EXHIBIT "B"

**PLAT OF _____ SUBDIVISION, DATED _____ BY _____,
RECORDED IN PLAT BOOK ____ PAGE ____.**

**(OR AERIAL MAP OF DISTRICT BOUNDARY DRAWN BY
STORMWATER/GIS UTILITY DEPARTMENT, DATED _____)**

EXHIBIT "C"

PUBLIC HEARING NOTICE