



CITY OF DUNWOODY

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www.dunwoodyga.gov

MEMORANDUM

To: Mayor and City Council

From: Sharon Lowery

Date: May 24, 2010

Subject: **SECOND READ – Ordinance to adopt the City of Dunwoody Code of Ordinances**

ITEM DESCRIPTION

An ordinance adopting and enacting a new Code for the City of Dunwoody.

BACKGROUND

As Council is aware, the City entered into a contract with Municipal Code Corporation in June, 2009 to provide for the codification of the City of Dunwoody ordinances. We have received the completed Code, consisting of the City Charter and Chapters 1-32, and each member of the City Council should have a bound copy for review. The Code is inclusive of all ordinances adopted by Mayor and Council as of March 22, 2010. All future ordinances subsequent to that date will be added to the code as continuous supplements on a quarterly basis and updated on the website. The Code will first appear on the website within a day or two following the passage of the codification ordinance and will be available online at www.municode.com.

RECOMMENDATION

It is staff's recommendation that the ordinance to adopt and enact the City of Dunwoody Code of Ordinances be adopted for the City of Dunwoody.

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF DUNWOODY, GEORGIA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

WHEREAS, the City of Dunwoody was incorporated on December 1, 2008, pursuant to SB 82 of the 2008 Legislative Session; and

WHEREAS, the City is authorized and required to create a Code of its ordinances of general and permanent nature in order to provide for an orderly and easy access to the laws of the City for the general public.

THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DUNWOODY AS FOLLOWS:

Section 1. The Code entitled "THE CODE OF THE CITY OF DUNWOODY, GEORGIA," published by Municipal Code Corporation, consisting of chapters 1 through 32, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before March 22, 2010, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine as provided for in chapter 1. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 5. Additions or amendments to the Code when passed in such form as to indicate the intention of the Mayor and City Council to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2010-05-XX

Section 6. Ordinances adopted after March 22, 2010, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This ordinance shall become effective upon its adoption by the City Council.

SO ORDAINED AND EFFECTIVE, this ____ day of May, 2010.

Approved:

Ken Wright, Mayor

ATTEST:

Sharon Lowery, City Clerk

(Seal)