

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 172

AN ORDINANCE to amend Ordinance Nos. 25 and 127 to delineate certain non-conforming uses of property within the City of Lookout Mountain, and for other purposes.

BE IT ORDAINED by the City Council of the City of Lookout Mountain, Georgia, and IT IS HEREBY ORDAINED:

SECTION 1. The eighth (last) paragraph of Section 10-6 of the Zoning Ordinance of the City of Lookout Mountain, Georgia, as set forth in the City's Ordinance No. 25, is hereby deleted in its entirety and the following substituted in lieu thereof:

Any provision of the ordinances of the City of Lookout Mountain to the contrary notwithstanding, mobile homes, trailer courts, camp grounds, amusement rides (as that term is defined in Official Code of Georgia Annotated §34-12-2(2)(1992)), carnival rides (as that term is defined in Official Code of Georgia Annotated §34-13-2(3)(1992)), other mechanical rides, go cart tracks, batting cages, chair lifts, sky lifts, water slides, wave pools, alpine slides, outdoor amphitheaters and other outdoor theaters, bungee jumping towers, observation towers, zoos and animal parks are specifically designated herein as being non-conforming uses within all district or zones of the City of Lookout Mountain and are specifically prohibited in all such districts or zones. If any such non-conforming use in existence on the date hereof is hereafter removed or abandoned, any future use of the land shall be in full conformity with this chapter. No such non-conforming use shall be extended to occupy a greater portion of land than occupied on the effective date hereof, nor to increase the number or size of nor to enlarge or extend the volume or intensity of any such non-conforming use. If any such non-conforming use is removed or abandoned for a period of time in excess of one hundred (100) days, every future use of the land shall be in full conformity with this chapter. As used herein, the porch and patio area on the east side of the Cliff Terrace building of Rock City Gardens, as currently used for the Fairy Tale Festival or similar functions, shall not constitute either an amphitheater or an outdoor theater.

SECTION 2. Savings Clause. If any of the sections, subsections, sentences, clauses or phrases of this Ordinance are for any reason held to be unconstitutional or invalid, the validity of the remaining portions of this Ordinance shall not be thereby affected since it is the express intent of the Council of the City to pass each section, phrase, paragraph and word separately.

SECTION 3. Repealer. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

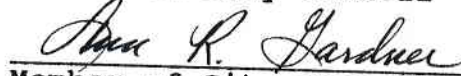
SECTION 4. Part of Code of Ordinances. It is the intention of the Council of the City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City, and the Sections of this Ordinance may be renumbered to accomplish such intention.


SECTION 5. Effective Date. This Ordinance shall be effective ten (10) days after its adoption and approval by at least three (3) members of the Council for the City of Lookout Mountain, Georgia, after two (2) readings at least one (1) week apart.

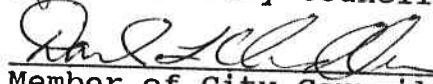
Approved on first reading on August 17, 1995.


Member of City Council


Member of City Council


Member of City Council


Member of City Council


Member of City Council


Mayor of Lookout Mountain,
Georgia

Approved and adopted on Second Reading on

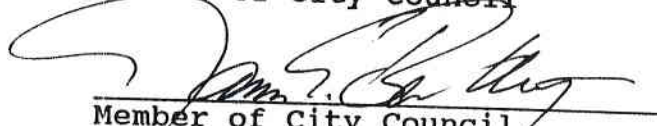
September 7, 1995.



Member of City Council


Member of City Council


Member of City Council


Member of City Council


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Mayor of Lookout Mountain,
Georgia

ATTEST:


City Clerk