

## CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. ~~194~~ 197

AN ORDINANCE to amend Ordinance No. 115 to require that the owners or occupants of newly constructed and newly modified buildings in the City of Lookout Mountain obtain a Certificate of Occupancy before occupying any structure for which a building permit is required, 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 City of Lookout Mountain, Georgia's Ordinance No. 115 is hereby amended by the addition thereto of a new Section 4 to be inserted in the ordinance between the current Sections 3 and 4 and to read as follows:

Section 4. Every commercial, tourist-oriented or multifamily building or structure the construction or modification of which requires a building permit shall have a Certificate of Occupancy issued by the City Building Official or Municipal Planning Commission before such building or structure may be occupied. No such Certificate of Occupancy may be issued unless the building or structure has been erected or modified in conformity with the Southern Standard Building Code and with the plans (and specifications, if any) previously approved by the Municipal Planning Commission, unless any variances from such plans (and specifications, if any) have been specifically approved in writing by the Municipal Planning Commission or City Building Official. In case of any question or dispute, the burden shall be upon the owner, occupant or other applicant to prove to the satisfaction of the City Building Official or Municipal Planning Commission that the building or structure, as erected or modified, conforms to the Southern Standard Building Code and with the plans (and specifications, if any) previously approved by the Municipal Planning Commission (subject to any variances specifically approved in writing by the Municipal Planning Commission or City Building Official). Until the owner, occupant or other applicant so demonstrates, the City Building Official or Municipal Planning Commission may order that the building or structure not be occupied and, if applicable, that the establishment not open for business.

Section 2. Sections 4 and 5 of Ordinance No. 115 shall be renumbered as Sections 5 and 6.

Section 3. 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 4. Repealer. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 5. 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 6. 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, 2000.


  
Member of City Council

  
Member of City Council

  
Member of City Council

Member of City Council

Member of City Council

*Vice*   
Mayor of Lookout Mountain, Georgia

APPROVED AND ADOPTED ON SECOND READING ON \_\_\_\_\_

September 21, 2000.

*David L. Chandler*  
Member of City Council

*Ann R. Johnson*  
Member of City Council

*James L. Eason, IV*  
Member of City Council

*Thomas J. [Signature]*  
Member of City Council

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Member of City Council

*[Signature]*  
Mayor of Lookout Mountain, Georgia

ATTEST:

*Brenda A. Miller*  
City Clerk of Lookout Mountain, Georgia

