

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 21

AN ORDINANCE

To establish a Municipal Planning Commission and a Board of Zoning Appeals for the City of Lookout Mountain, Georgia, and to adopt Chapter 12, Title 69, Code of Georgia, 1933, as amended.

BE IT ORDAINED by the City Council of the City of Lookout Mountain, Georgia, and it is hereby ordained:

Section 1. Pursuant to the provisions of Section 1229 of Chapter 12, Title 69, Code of Georgia, 1933, as amended, the City Council herewith enacts and adopts the provisions of Chapter 12, Title 69, Code of Georgia, 1933, as amended, and said provisions are herewith incorporated in this ordinance by reference as fully as if set out herein. A copy of the provisions of Chapter 12, Title 69, Code of Georgia, 1933, as amended, as adopted is ordered to be permanently maintained at the City Hall and made available for inspection upon request. Extra copies shall be provided upon request and upon payment of the cost of reproduction.

Section 2. Pursuant to Sections 1201 and 1211 of Chapter 12, Title 69, Code of Georgia, 1933, as amended, there is herewith established a Municipal Planning Commission and a Board of Zoning Appeals.

Section 3-1. The Municipal Planning Commission shall be known as the Municipal Planning Commission of Lookout Mountain, Georgia. It shall be composed of three members, to be appointed by the City Council after recommendation by the Mayor. Original appointments to the Commission shall be as follows: one for a term of one year, one for a term of two years, and the third member for a term of three years. Subsequent appointments shall be for terms of three years each.

Section 3-2. Two members of the Commission shall constitute a quorum. In making recommendations and reports to the City Council, affirmative votes of the majority present, but not less than two affirmative votes, shall be required. No Commission member shall act in a case in which he has a personal interest. The Commission may request the Mayor to appoint a temporary Commission member, and the Mayor shall be authorized to so appoint such temporary member without Council approval, in situations where it is necessary to obtain a quorum of uninterested members.

The Commission shall establish rules and regulations for its own procedure, which rules and regulations shall not be inconsistent with the provisions of Chapter 12, Title 69, Code of Georgia, 1933, as amended. Meetings shall be at regular intervals as determined by the Chairman.

Section 3-3. All matters and classes of matters which the City Council is empowered to regulate under the provisions of Chapter 12, Title 69, Code of Georgia, 1933, as amended, shall first be referred to the Municipal Planning Commission of Lookout Mountain, Georgia, and no final action by the City shall be taken until said Commission has submitted its report thereon, which said report shall be made within thirty days of the reference. In the event the Commission fails to make its report within thirty days, and the City Council does not grant the Commission an extension of time, the Council may act without a report.

Section 4-1. The Board of Zoning Appeals shall be known as the Board of Zoning Appeals of Lookout Mountain, Georgia. It shall be composed of five members to be appointed by the City Council after recommendation by the Mayor. Original appointments to the Commission shall be as follows: two for a term of three years, two for a term of four years and a fifth member thereof for a term of five years. Subsequent appointments shall be for terms of five years each.

Section 4-2. Three members of the Board shall constitute a quorum. Any action by the Board shall be upon the affirmative vote of the majority present, but not less than three affirmative votes shall be required. No Board member shall act in a case in which he has a personal interest. The Board may request the Mayor to appoint a temporary Board member, and the Mayor shall be authorized to so appoint such temporary member in situations where it is necessary to obtain a quorum of uninterested members.

The Board shall establish rules and regulations for its own procedures not inconsistent with Chapter 12, Title 69.

Section 5. Sections 111, 112 and 113 of Chapter 1 of the Building Code of the City as enacted under Ordinance No. 8 of the City Ordinances are herewith repealed.

Section 6. The City Council resolutions of May 11, 1969, appointing the Board of Adjustment and Appeals and the Municipal Planning Board of Lookout Mountain, Georgia, are herewith rescinded. Mr. Lou Garcia's appointment as City Engineer and Mr. Robert C. Seals' appointment as Building Official are affirmed, however.

Section 7. It is the intention of the governing body and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Lookout Mountain, Georgia, and the sections of this Ordinance may be re-numbered to accomplish such intention.

Section 8. If any section, subsection, sentence, or clause in this ordinance be adjudged invalid, such adjudication shall not affect the validity of the ordinance or code as a whole or of any section, subsection, sentence, or clause hereof or thereof not adjudged invalid.

Section 9. This ordinance shall be effective ten (10) days after its adoption and approval by at least three

members of the Council of this City after two readings at least one week apart.

Approved on first reading on January 15, 1970.

Wilbur W. Trotter
Member of City Council of Lookout Mountain, Ga.

John A. Hester
Member of City Council of Lookout Mountain, Ga.

James W. Williams
Member of City Council of Lookout Mountain, Ga.

John Smith
Member of City Council of Lookout Mountain, Ga.

Jesse B. Sims
Member of City Council of Lookout Mountain, Ga.

Shelwood S. Dudley
Mayor of Lookout Mountain, Georgia

Approved and adopted on second reading on JANUARY 26th, 1970.

Wilbur W. Trotter
Member of City Council of Lookout Mountain, Ga.

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Member of City Council of Lookout Mountain, Ga.

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Member of City Council of Lookout Mountain, Ga.

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Shelwood S. Dudley
Mayor of Lookout Mountain, Georgia

ATTEST:

[Signature]
City Clerk of Lookout Mountain, Georgia

