

ORDINANCE NO. _____

AN ORDINANCE TO AMEND, UPDATE, AND MAKE CERTAIN CORRECTIONS TO THE AUGUSTA, GA. CODE, TITLE EIGHT, CHAPTER THREE ARTICLE ONE SECTION 8-3-1 RELATING TO THE INCORPORATION OF THE LAND SUBDIVISION REGULATIONS ARTICLE ONE THROUGH ARTICLE SIX TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; TO PROVIDE AN EFFECTIVE DATE AND FOR THE OTHER PURPOSES PROVIDED HEREIN.

WHEREAS, the Home Rule Provision within the State of Georgia Constitution enacted in 1983, grants the governing authority of any county or municipality within the State of Georgia the power to: establish planning commissions; provide for the preparation and amendment of overall plans for the orderly growth and development of the municipalities and counties; provide for the regulation of structures on mapped streets, public building sites, and public open spaces; repeal conflicting laws; and for other purposes; and

WHEREAS, Augusta, GA Planning Commission, created and organized under the terms of the aforementioned Home Rule Provision, made a study and analysis of the areas of Augusta, GA and presented an Ordinance regulating the subdivision of land in Augusta, Georgia; requiring and regulating the preparation and presentation of development plans and final plats for such improvements to be made or guaranteed to be made by the subdivider; setting forth the procedure to be followed by the Augusta, GA Planning & Development Department in applying these rules, regulations, and standards; and prescribing penalties for the violation of these rules, regulations, and standards; and

WHEREAS, Augusta, GA Commission approved the “Land Subdivision Regulations” Ordinance No. 6175 on July 6, 1999; further amended by Ordinance No. 7288 enacted September 6, 2011; and

WHEREAS, Since adoption of Ordinance No. 6175 and Ordinance No. 7288, Augusta, GA identified areas of the AUGUSTA, GA. CODE Title Eight Article 1 Section 8-3-1 regarding the “Land Subdivision Regulations”; requiring, refinement, clarification and correction; and

WHEREAS, the refinement, clarification and correction as set forth in this ordinance properly accounts for AUGUSTA, GA. CODE Section 8-3-1 Incorporation of the Land Subdivision Regulations Article One through Article Six.

NOW THEREFORE, THE AUGUSTA, GEORGIA COMMISSION ordains as follows:

SECTION 1. AUGUSTA, GA. CODE Title Eight Chapter Three Section 8-3-1 as set forth in the AUGUSTA, GA. CODE, re-adopted July 10, 2007, is hereby further amended by striking said in their entirety as set forth in “Exhibit A” hereto.

SECTION 2. AUGUSTA, GA. CODE Title Eight Chapter Three is hereby amended by inserting in lieu thereof a new Code Section 8-3-1 as set forth in “Exhibit B” hereto.

SECTION 3. This ordinance shall become effective upon its adoption in accordance with applicable laws.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Adopted this _____ day of _____, 2012.

David S. Copenhaver
As its Mayor

Attest:

Lena J. Bonner, Clerk of Commission

SEAL:

CERTIFICATION

The undersigned Clerk of Commission, Lena J. Bonner, hereby certifies that the foregoing Ordinance was duly adopted by the Augusta, Georgia Commission on _____, 2012, and that such Ordinance has not been modified or rescinded as of the date hereof and the undersigned further certifies that attached hereto is a true copy of the Ordinance which was approved and adopted in the foregoing meeting(s).

Lena J. Bonner, Clerk of Commission

1st Reading _____

2nd Reading _____

Published in the Augusta Chronicle.

Date: _____

EXHIBIT A

Sec. 8-3-1. Incorporation of subdivision regulations.

The Land Subdivision regulations for the former City of Augusta and former unincorporated Areas of Richmond County, Georgia, as adopted on November 1, 1971, and subsequently revised, consisting of article 1 through article 2 inclusive (the Subdivisions Regulations), are included as an Appendix to this Code and are hereby incorporated in this section as if set out in full herein.

EXHIBIT B

Sec. 8-3-1. Incorporation of subdivision regulations.

The Land Subdivision regulations for the former City of Augusta and former unincorporated Areas of Richmond County, Georgia, as adopted on November 1, 1971, and subsequently revised, consisting of all articles inclusive of the Subdivisions Regulations, are included as an Appendix to the AUGUSTA, GA CODE and are hereby incorporated in this section as if set out in full herein. Said Appendix (the Subdivisions Regulations) is maintained by the Planning & Development Department and filed in the Office of the Clerk of Commission.