

STATE OF GEORGIA

1st reading: March 12, 2012

COUNTY OF FULTON

2nd reading: April, 9, 2012

**AN ORDINANCE OF THE CITY OF ROSWELL TO AMEND THE ZONING
ORDINANCE ARTICLE 10.39.3 USES PERMITTED/APPLICATION FOR LICENSE
DEALING WITH THE SIDEWALK CAFÉ LOCATIONS WITHIN THE
CITY OF ROSWELL, GEORGIA**

WHEREAS, the Mayor and Council are the governing authority of the City of Roswell, Georgia; and

WHEREAS, zoning is an exercise of police power to promote the public health, safety, morality or general welfare; and

WHEREAS, the Mayor and Council have determined that Article 10, Specific Requirements, of the Zoning Ordinance should be amended regarding the uses permitted/application for license for "Sidewalk Cafes" to allow for additional locations in the City of Roswell:

NOW THEREFORE, to accomplish the foregoing, the Mayor and Council of the City of Roswell, pursuant to their authority, do hereby adopt the following Ordinance:

1.

Article 10, Specific Use Requirements, Chapter 10.39, Sidewalk Cafes Section 10.39.3 Uses permitted/application for license is amended as follows:

Section 10.39.3 Uses permitted/application for

- (a) Sidewalk cafes are permitted for restaurants located throughout the city. Application for a sidewalk cafe license shall be made to the community development department. If approved by mayor and council, a license for a sidewalk cafe will be issued for one (1) year and shall be automatically renewed if the use remains in compliance with all conditions stated herein. Such license will not be transferable in any manner.
- (b) The fee for a sidewalk cafe license shall be set by mayor and council by resolution.

2.

All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

3.

Severability. Should any court of competent jurisdiction declare any section of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

4.

It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the City of Roswell Zoning Ordinance, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

5.

This Ordinance shall take effect and be in force from and after the date of its adoption, the public welfare demanding it.

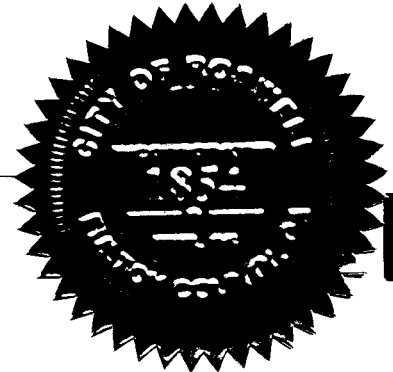
6.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia on the 9th day of April, 2012.

Attest:

Marlee Press
Marlee Press, City Clerk
(Seal)

Jere Wood
Jere Wood, Mayor



Jerry Orleans
Councilmember Jerry Orleans

Betty Price
Councilmember Betty Price

Kent Igleheart
Councilmember Kent Igleheart

Rebecca Wynn
Councilmember Rebecca Wynn

Richard Dippolito
Councilmember Richard Dippolito

Nancy Diamond
Councilmember Nancy Diamond