

**CITY OF FOREST PARK
MAYOR & CITY COUNCIL AGENDA
REGULAR MEETING
August 6, 2018**

ANGELYNE BUTLER
MAYOR

Kimberly James
Ward 1

Dabouze Antoine
Ward 2

Sandra Bagley
Ward 3



Latresa Akins-Wells
Mayor Pro-Tem/ Ward 4

Allan Mears
Ward 5

**City Hall Council Chambers
745 Forest Parkway
Forest Park, GA 30297**

Work Session 6:00PM

- Call to Order
- City Manager's Report
- Sister City Presentation – Machakos in Kenya
- Discussion of Fire Works
- Discussion of Rental Facilities
- Discussion of Operation Clean-Up
- Discussion of Wage and Compensation Study

Mayor Butler
Angela Redding
Dr. Joseph Nzioki
Councilwoman Bagley
Councilwoman Wells
Councilwoman James
Mayor Butler

Regular Meeting 7:00PM

- I.** Call to Order
- II.** Invocation
- III.** Pledge of Allegiance
- IV.** Roll Call
- V.** Comment Period
- VI.** Approval of Minutes

- 1. Work Session Meeting July 16, 2018
- 2. Regular Meeting of Mayor & Council of July 16, 2018

**CITY OF FOREST PARK
MAYOR & CITY COUNCIL AGENDA
REGULAR MEETING
August 6, 2018**

VII. Agenda Items

1. Yard of the Quarter Recognition Ward 1 Councilwoman James
2. Consider an Ordinance Amending the Code of Ordinances, City of Forest Park, Georgia Clarifying the Regulation of Yard Sales; to repeal conflicting Ordinances; to provide an effective date; and for other purposes.

VIII. Executive Session for Personnel, Litigation and Real Estate Matters

IX. Legal Matters

X. Comments by Governing Body

XI. Adjournment

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF FOREST PARK, GEORGIA CLARIFYING THE REGULATION OF YARD SALES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

Be it ordained by the Governing Body of the City of Forest Park, Georgia as follows:

SECTION 1. That Section 3-3-12 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by deleted said section in its entirety and replacing it with the following:

“Section 3-3-12 – RESERVED.”

SECTION 2. To the extent that Section 9-8-1 of the Code of Ordinances, City of Forest Park, Georgia was repealed by operation of Ordinance No. 16-16, said section is hereby reinstated as set forth in Exhibit A.

SECTION 3. Intention of the Governing Body. 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, City of Forest Park, Georgia, and the sections of the ordinance may be renumbered to accomplish such intention.

SECTION 4. Approval of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

SECTION 5. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 6. Codification and Severability.

(a) It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were upon their enactment believed by the City Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the City Council that to the greatest extent allowed by law each and every section, paragraph, sentence, clause or phrase of this ordinance is severable from every other section, paragraph, sentence, clause or phrase of this ordinance. It is hereby further declared to be the intention of the City Council that to the greatest extent allowed by law no section, paragraph, sentence, clause or phrase of this ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this ordinance.

(c) In the event that any section, paragraph, sentence, clause or phrase of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the ordinance and that to the greatest extent allowed by law all remaining Sections, paragraphs, sentences, clauses, or phrases of the ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 7. Repeal of Conflicting Provisions. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 8. Effective Date. This ordinance shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

SO ORDAINED this _____ day of _____, 2018.

Mayor Angelyne Butler

Council Member Kimberly James, Ward 1

Council Member Dabouze Antoine, Ward 2

Council Member Sandra Bagley, Ward 3

Council Member Latresa Wells, Ward 4

Council Member Allan Mears, Ward 5

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

“Sec. 9-8-1. - Garage sales, rummage sales, and yard sales.

- (a) Sales commonly known as "garage sales" or "rummage sales", conducted on residential property shall be subject to the following rules and regulations:
 - (1) Such sales shall be conducted only by the owner or tenant of residential property.
 - (2) Only three (3) such sales shall be permitted in any twelve (12) month period on one residential lot. No sale shall run longer than three (3) consecutive days.
 - (3) No wares, goods, or merchandise shall be advertised or offered for sale, or swap, or given away except goods, wares, and merchandise owned by the property owner or tenant conducting the sale.
 - (4) No goods, wares or merchandise shall be purchased by the owner or tenant for the purpose of selling, swapping, or giving away same at such a sale.
 - (5) Any person desiring to conduct such a sale shall obtain a permit prior to the time that such sale is to begin. The business license clerk or their authorized representatives, shall issue a permit to the person to conduct such a sale upon payment of such permit fee as fixed time to time by the mayor and council, if the applicant otherwise meets the requirements of this section.
 - (6) A permit issued for a garage sale, rummage sale, or yard sale shall only be valid for the days specified on the permit. In the event of inclement weather or other acts of God, such permit may be validated by the business license clerk or their authorized representatives, for use on comparable days, without the payment of any additional permit fee.
 - (7) A permit issued for a garage sale, rummage sale, or yard sale shall be maintained at the sales location at all times, and shall, upon request, be made available for inspection by the business license clerk or their authorized representatives or any law enforcement officer or code enforcement officer of the city.
- (b)
 - (1) Sales by religious or charitable organizations may be conducted on the property of the organization provided that they meet all requirements of items (1) through (7) above. No fee shall be required of such organizations.
 - (2) Such sales may be located on commercial premises not otherwise owned by the organization, provided prior written consent by the owner be displayed when obtaining the permit for such sale. Any such off-premises sale shall be limited to a total of two (2) per year, per location.
- (c) It shall be unlawful for any person to conduct a garage sale, rummage sale, or yard sale without first obtaining a permit as described herein or in such a manner as to violate any of the provisions of this section and the code enforcement officers and police department are authorized and directed to enforce the provisions of this section.
- (d) Only those signs issued by the city for "yard sales" are allowed, and shall be limited to two (2) such signs per yard. All other signs promoting or advertising garage sales, rummage sales, or yard sales are prohibited. The two (2) signs provided by the city may be placed as follows:
 - (1) One (1) corner directional sign may be displayed on private property with the private property owner's permission.
 - (2) One (1) sign may be displayed on the property at the place of such sale.
 - (3) No signs may be placed on utility poles or on traffic signs.
 - (4) No signs may be placed on city rights-of-way, or within five (5) feet of any street, highway, or sidewalk.
 - (5) No sign may be placed on city property.”