

ORDINANCE 2019-22

AN ORDINANCE BY THE CITY OF SMYRNA, GEORGIA, PROVIDING FOR THE AMENDMENT OF THE CODE OF ORDINANCES (ZONING), APENDIX A, ARTICLE V, GENERAL PROVISIONS, SECTIONS 501, 503-A OF THE CODE OF ORDINANCES OF THE CITY OF SMYRNA

BE IT ORDANINED BY THE MAYOR AND COUNCIL OF THE CITY OF SMYRNA, GEORGIA

WHEREAS, State law provides that the governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law; and

WHEREAS, the Mayor and Council of the City of Smyrna are charged with the protection of the public health, safety, and welfare; and

WHEREAS, the Mayor and Council now wish to update the City of Smyrna Code of Ordinances regarding Appendix A, Article V General Provisions, Sections 501.10 Accessory Uses and Structures, Section 503-A, Fencing of the City's Zoning Ordinances

NOW, THEREFORE, the Mayor and Council of the City of Smyrna, pursuant to their authority, do hereby adopt the following amendments.

Subsections of Section 501 of the Zoning Ordinance shall be amended to remove fencing regulations. The proposed sections shall read as follows (amended portions are underlined or deleted).

ARTICLE V. – GENERAL PROVISIONS

Section 501 - Accessory uses and structures.

Accessory uses and structures shall be permitted in all zoning districts subject to conformance with the following conditions:

501.10 – Reserved

Article V of the Zoning Ordinance shall be amended to create a fencing section. The proposed sections shall read as follows (amended portions are underlined).

Section 503-A - Fencing

(503-A.1) No fence shall be more than eight feet in height or be constructed in a public right-of-way.

(503-A.2) In all cases, the finished side of a fence shall face adjoining properties and/or public rights-of-way. For purposes of this section, the finished side shall be defined as the side of the fence that contains no visible support structures, unless approved by the Community Development Director.

Examples of the finished side of a fence:



Examples of the unfinished side of a fence:



City of Smyrna
Zoning Amendment Fencing
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(503-A.3) Within any front yard (front yard shall also include a corner lot in which both yards abutting a street shall be deemed a front yard), in all zoning districts, no chain link or similar woven wire fence shall be permitted. However, within a front yard in the aforementioned districts, a decorative or ornamental rail, split rail, picket, opaque, basket weave or similar fence constructed of wooden or vinyl materials may be permitted provided that said fence does not exceed four feet in height. Columns comprised of brick, stone or similar material may be placed between fence sections in the front yard but still cannot exceed four feet in height. Decorative wrought iron or black aluminum fencing shall also be permitted provided that said fence does not exceed four feet in height.

Examples of decorative fences:



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Renumbering. 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 Code of Ordinances, City of Smyrna, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

The above Ordinance was read and approved by the Mayor and Council of the City of Smyrna, Georgia, on the 21st day of October 2019.

A. Max Bacon, Mayor

Attest:

Terri Graham, City Clerk

SEAL

As to form:

Scott Cochran, City Attorney