

Ordinance 2020-12

Amendment to Sections 719.8(4)(j) and 1502.9 of Appendix A -Zoning Ordinance for the requirement of a sanitary sewer analysis for the zoning of commercial development, mixed-use development or residential development with 10 or more dwelling units

October 19, 2020

ORDINANCE 2020-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SMYRNA TO AMEND TO ITS CODE OF ORDINANCES TO SECTIONS 719.8(4)(J) AND 1502.9 OF APPENDIX A – ZONING ORDINANCE FOR THE REQUIREMENT OF A SANITARY SEWER ANALYSIS FOR THE ZONING OF COMMERCIAL DEVELOPMENT, MIXED USE DEVELOPMENT OR RESIDENTIAL DEVELOPMENT WITH 10 OR MORE DWELLING UNITS AND SETTING A FEE FOR THE ANALYSIS.

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED BY THE CITY OF SMYRNA, A GEORGIA MUNICIPAL CORPORATION, AND BY THE AUTHORITY OF THE SAME THAT THE CODE OF ORDINANCES OF THE CITY OF SMYRNA, GEORGIA BE AMENDED IN SECTIONS 719.8(4)(j) AND 1502.9 OF APPENDIX A – ZONING ORDINANCE.

Section 719.8 (4)(j) of Appendix A – Zoning Ordinance shall be amended to read as follows:

Provide a letter from Smyrna's public works director or the Cobb County Water System verifying water and sewer availability and capacity for all commercial development, mixed-use development or residential development with 10 or more dwelling units. Also for such developments on the City's sanitary sewer system, at a fee of \$1000.00, the City of Smyrna will conduct the capacity analysis to study the impacts of the new development or redevelopment to the sanitary sewer system, and if the sanitary sewer system has adequate capacity to support the wastewater from the new development or redevelopment.

Section 1502.9 of Appendix A – Zoning Ordinance shall be amended to read as follows:

Provide a letter from Smyrna's public works director or the Cobb County Water System verifying water and sewer availability and capacity for all commercial development, mixed-use development or residential development with 10 or more dwelling units. Also for such developments on the City's sanitary sewer system, in addition to any other fee required, the Applicant must submit a fee of \$1000.00, to the City of Smyrna as payment for a capacity

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analysis done by the city or its delegee to study the impacts of the new development or redevelopment to the sanitary sewer system, and whether the sanitary sewer system has adequate capacity to support the wastewater from the new development or redevelopment.

This Ordinance shall become effective upon the date of its adoption set forth below.

Severability: Should any section of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, 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.

Approved by Mayor and Council this 19th day of October 2020.

Derek Norton, Mayor

(CITY SEAL)

ATTEST:

Heather K. Peacon-Corn, City Clerk City of Smyrna

Approved as to form:

Scott Cochran, City Attorney City of Smyrna