

ORDINANCE NO. 11 2009

**AN ORDINANCE BY THE CITY COMMISSION
OF THE CITY OF CEDARTOWN**

Urban Redevelopment Plan

WHEREAS, the City of Cedartown recognizes the need to encourage redevelopment so to enhance the quality of life for its citizenry and promote economic investment within the community;

WHEREAS, Article IX, Section II, Paragraph III of the Georgia Constitution, Section 36-35-3 of the Georgia Code, and the Charter for the City of Cedartown provide for the adoption of ordinances to protect, promote and preserve the public health, safety and general welfare of the citizenry;

WHEREAS, the Urban Redevelopment Law of the State of Georgia (O.C.G.A. §36-61-1 et. seq.) [the "Urban Redevelopment Law"] provides that municipalities in Georgia have the power to adopt plans by resolution to rehabilitate, conserve or redevelop a defined geographic area that is designated as a "blighted area" or "slum area". The City has a duty to redevelop these areas for the benefit of the community at large;

WHEREAS, the City Commission previously adopted a Resolution of Intent to create an Urban Redevelopment Plan for the City of Cedartown on the 11th day of May 2009.

WHEREAS, the Cedartown City Commission has completed its determinations and preparations of an Urban Development Plan.

WHEREAS, the City has made the Urban Redevelopment Plan available for public review and commentary in accordance with O.C.G.A. §36-61-7 (b) and following public notice, a public meeting was held on July 30, 2009 to discuss the proposed plan in accordance with O.C.G.A. §36-61-7 (c); and

WHEREAS, public sentiment on the Urban Redevelopment Plan has been resoundingly positive;

WHEREAS, the City has satisfied all requirements of the Urban Redevelopment Law therefore the City Commission hereby adopts the Urban Redevelopment Plan referenced herein;

NOW, THEREFORE, be it ordained by the City Commission of the City of Cedartown, Georgia, and it is hereby ordained and established by said authority, as follows:

Section One:

The placement, numbering, and location of the amendments described herein are left to the discretion of the Municipal Code Service as the codifier of the Cedartown Code of Ordinances.

Section Two:

The Code of the City of Cedartown shall be amended as follows:

- A) **Declaration of Blighted Areas.** There exists within the City of Cedartown, "blighted" and "slum" areas as these terms are defined by

O.C.G.A. §36-61-2 which there are a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age, or obsolescence; inadequate provision for ventilation, light, air, sanitation, or open spaces; high density of population and overcrowding; existence of conditions which endanger life or property by fire and other causes; or any combination of such factors that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime and is detrimental to the public health, safety, morals, or welfare. The existence of such areas have substantially impaired or arrested the sound growth of Cedartown. The purposes, areas effected and rehabilitation plans are more specifically set forth in the Cedartown Urban Redevelopment Plan attached hereto as Exhibit "A" and incorporated herein by specific reference.

- B) **Adoption of Urban Redevelopment Plan.** The City of Cedartown hereby adopts the Cedartown Urban Redevelopment Plan ["The Plan"] attached hereto as Exhibit "A" in accordance with O.C.G.A. §36-61-7(d).
- C) **Development and Land Use Within the Plan Area.** All development, re-development and land use within the plan area shall be as specifically provided for by the Plan.
- D) **Findings.** The City finds that: A) There is no need to displace or relocate families from the redevelopment area therefore no undue hardship will be created as a result of adoption of this Urban Redevelopment Plan; B) The Urban Redevelopment Plan conforms to the general plan for Cedartown, Georgia; C) The Urban Redevelopment Plan provides for the maximum utilization of private enterprise; and, D) The Urban Redevelopment Plan may be modified in the future in accordance with O.C.G.A. §36-61-7 which requires that substantial changes be subject to advertisement and public hearing with final approval required by the Cedartown City Commission.

Section Three:

All laws and parts of law in conflict herewith are hereby repealed

Section Four:

It is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses and phrases of this enactment are severable, and if any phrase, clause sentence, paragraph or section hereof shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and section of this enactment, since the same would have been enacted by the City Commission without the incorporation herein of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section Five:

This Ordinance shall become effective upon adoption, the public welfare demanding the same.

ADOPTED AND APPROVED by the Commission of the City of Cedartown at a regularly scheduled meeting, duly called and held this the **14th day of September, 2009**. All Commissioners voting "Aye" and none voting "No".

THE CITY OF CEDARTOWN

BY: _____

Larry Odom
**LARRY ODOM, CHAIRMAN
CEDARTOWN CITY COMMISSION**

ATTEST:

Carol Crawford

CAROL CRAWFORD, CITY CLERK