

1 STATE OF GEORGIA
2 COUNTY OF FULTON
3 CITY OF SOUTH FULTON
4

RES2019-026

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6 **A RESOLUTION OF THE CITY OF SOUTH FULTON TO RESOLVE LAND AND**
7 **DEVELOPMENT DISPUTES WITH UNION CITY AND FOR OTHER LAWFUL**
8 **PURPOSES**
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10 **(Sponsored by Councilperson Gilyard)**
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12 **WHEREAS**, the City of South Fulton ("City") is a municipal corporation duly
13 organized and existing under the laws of the State of Georgia;
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15 **WHEREAS**, the duly elected governing authority of the City is the Mayor and City
16 Council ("City Council");
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18 **WHEREAS**, one of the essential responsibilities of local government is the
19 protection of its communities, land and territorial boundaries;
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21 **WHEREAS**, it is further an essential responsibilities of local government to
22 ensure that land is developed and managed in a manner that does not threaten the
23 heath, safety and general welfare of visitors and residents;

24 **WHEREAS**, proper and sustainable land development is critical to public health,
25 survivability and the management of land, water, biodiversity and other environmental
26 resources;

27 **WHEREAS**, positive land use is the backbone to a healthy community and economy
28 and provides substantial economic and social benefits;

29 **WHEREAS**, the City Council desires through this Resolution to initiate a dialogue
30 with Union City towards resolution of disputes and concerns regarding territorial
31 boundaries and land development; and

32 **WHEREAS**, this Resolution is in the best interests of the general welfare of the
33 City, its residents and general public.

34 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL** as
35 follows:
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37 **Section 1.** The City Attorney and City Manager are hereby directed to commence
38 negotiations with the City Manager and City Attorney of Union City towards bringing the
39 cities together to discuss resolution of issues between the Cities pertaining to land use,
40 acquisition and development.

40 **Section 2.** It is hereby declared to be the intention of the Mayor and Council that: (a)
41 All sections, paragraphs, sentences, clauses and phrases of this Resolution are or were,
42 upon their enactment, believed by the City Council to be fully valid, enforceable and
43 constitutional.

44 (b) To the greatest extent allowed by law, each and every section, paragraph, sentence,
45 clause or phrase of this Resolution is severable from every other section, paragraph,
46 sentence, clause or phrase of this Resolution. No section, paragraph, sentence, clause
47 or phrase of this Resolution is mutually dependent upon any other section, paragraph,
48 sentence, clause or phrase of this Resolution.

49 (c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution
50 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise
51 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is
52 the express intent of the City Council that such invalidity, unconstitutionality or
53 unenforceability shall, to the greatest extent allowed by law, not render invalid,
54 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,
55 sentences, paragraphs or sections of the Resolution.

56 **Section 3.** All Resolutions and parts of Resolutions in conflict herewith are hereby
57 expressly repealed.

58 **Section 4.** The effective date of this Resolution shall be the date of adoption unless
59 provided otherwise by the City Charter or state and/or federal law.

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61 THIS RESOLUTION adopted this 28th day of May 2019.

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64 **CITY OF SOUTH FULTON, GEORGIA**

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WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

S. DIANE WHITE, CITY CLERK

APPROVED AS TO FORM:

EMILIA C. WALKER, CITY ATTORNEY



