

CITY OF MABLETON, GEORGIA

Riverside EpiCenter
135 Riverside Pkwy, Austell, GA 30168
July 15, 2024 @ 6:30 PM

The Honorable Michael Owens, Mayor
The Honorable Ron Davis, District 1 Councilmember
The Honorable Dami Oladapo, District 2 Councilmember
The Honorable Keisha Jeffcoat, Mayor Pro Tem/District 3 Councilmember
The Honorable Patricia Auch, District 4 Councilmember
The Honorable TJ Ferguson, District 5 Councilmember
The Honorable Debora Herndon, District 6 Councilmember

CITY COUNCIL SPECIAL CALLED MEETING AND PUBLIC HEARING,

1. **CALL TO ORDER** Mayor Michael Owens
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **AGENDA ITEMS AND DISCUSSION**
 - a. **Urban Redevelopment Agency Plan - *Public Hearing*, Discussion and Consideration - Associate Attorney Michael “Micky: Huening of Denmark Ashby LLC**
 - c. **Boards, Commissions, and Authorities - Mayor Owens**
5. **PUBLIC COMMENT** *2 minutes per speaker - no more than 30 minutes for all speakers. Anyone wishing to make a public comment should complete and submit the public comment card to the City Clerk prior to the start of the meeting.*
6. **CITY MANAGER’S ANNOUNCEMENTS/COMMENTS**
7. **CITY ATTORNEY/CITY CLERK/STAFF ANNOUNCEMENTS/COMMENTS**
8. **MAYOR AND COUNCIL ANNOUNCEMENTS/COMMENTS**
9. **EXECUTIVE SESSION (IF NEEDED) FOR LITIGATION(O.C.G.A. 50-14-3 (b)(1)(A); REAL ESTATE(O.C.G.A. 50-14-3 (b)(1)); PERSONNEL (O.C.G.A. 50-14-3 (b)(2)); AND MISC. EXEMPTIONS (O.C.G.A. 50-14-3 (b)(4)&(5))**
10. **ADJOURNMENT**

July 15, 2024 City Council Special Called Meeting

and Public Hearing

NOTICE OF PUBLIC HEARING ON
URBAN REDEVELOPMENT PLAN ENTITLED
"CITY OF MABLETON, GEORGIA
URBAN REDEVELOPMENT PLAN 2024"

Notice is hereby given that the City of Mableton, Georgia will hold an in person public hearing on **July 15, 2024 at 6:30 p.m.** The public hearing will be held at the Riverside EpiCenter located at 135 Riverside Parkway, Austell, Georgia 30168 and is being held for the purpose of hearing the City of Mableton, Georgia's Urban Redevelopment Plan 2024 (the "Urban Redevelopment Plan"). The Urban Redevelopment Plan sets forth the urban redevelopment projects for the urban redevelopment area located with the City of Mableton, Georgia (the "City"). The area considered under the URA Plan consists of certain parcels along Mableton Parkway and Puckett Drive between the intersections of Wood Valley Road and Mableton Parkway and Puckett Drive and Mableton Parkway.

The general scope of the urban redevelopment project will be for the promotion of the highest land uses, to address certain negative conditions in the area, for acquisition and improvements, and for other related uses. Citizens who would like to comment on this issue may submit written comments or requests to participate in the hearing to City Clerk Susan Hiott via email at susan.hiott@mableton.gov by noon the day of the hearing. A copy of the Urban Redevelopment Plan may be obtained from the City Clerk of the City.

Ran - Tuesday July 9, 2024 MDJ - Display Ad
Running Friday Legal Section MDJ July 12, 2024
Sat. & Sunday July 13, 14 MDJ - Display Ad

Susan Hiott
City Clerk

Texas power outages top 2M as Beryl pounds state

By Will Wade
Bloomberg News

More than 2.5 million homes and businesses in Texas lost power and at least one person was killed after Hurricane Beryl made landfall in the state, bringing howling winds and driving rain that knocked out electric lines.

Most of the outages are in Houston and areas to the southeast that are close to where the storm made landfall shortly before 4 a.m. local time. The city is now facing tornado threats, wind gusts as high as 80 miles per hour (129 kilometers per hour), as much as eight inches (20 centimeters) of rain and flooding that has left some of major highways underwater.

Beryl is the latest weather disaster to strike Houston this year after a derecho in May blasted skyscraper windows. It's in Harris County, which has been the riskiest county in the U.S. for weather since 1980. Texas Lieutenant Governor Dan Patrick declared a disaster in 121 counties, including



Vehicles sit in floodwater during Hurricane Beryl in Houston, Texas, on Sunday.

Harris, in advance of the storm. lots of trees falling down, even a one," said meteorologist Wendy "We've had trailers blown over, tree falling down and killing some- Wong, with the National Weather

Service in Houston. More than 80% of those without power are customers of CenterPoint Energy Inc., according to PowerOutage.us. As recently as April, data from Whisker Labs Inc. showed that the utility operated the most stressed local power grid in the country. The company warned customers Monday that outages could last several days.

Flights are being canceled at Houston airports, while a nearby liquefied natural gas facility ramped down operations until the storm passed. European natural gas prices rose in response during trading Monday. Some oil operations are also at risk for disruption.

Before striking Texas, Beryl crashed through the Caribbean, raking across Jamaica and Mexico's Yucatan peninsula and causing at least 11 deaths. Record warm ocean waters in the Atlantic helped fuel the storm, which was the earliest known to reach Category 5, the strongest level on the Saffir-Simpson scale.



100 years after gaining citizenship, Native Americans still facing barriers to voting

By Jim Saksa
CQ-Roll Call

WASHINGTON — A century ago, Congress granted citi-

zenship to Native Americans, providing them the right to vote. But a new report from House Administration Committee Democrats argues that the nation has failed to keep that promise of voting rights because casting a ballot is simply too difficult in many indigenous communities.

"Despite the passage of the Indian Citizenship Act of 1924, states and localities continue to deny Native peoples the full rights of U.S. citizenship, including the most fundamental right — the right to vote," Rep. Joseph D. Morelle, a New York Democrat and the committee's ranking member, said in a statement. "Native peoples continue to face substantial and unique bar-



Chandan Khanna/Getty Images of North America/TNS

Pins are pictured at a display counter during a cultural meeting at the Comanche Nation fairgrounds in Lawton, Oklahoma on Sept. 30.

riers to equal participation in federal, state, and local elections."

"Voting for Native Peoples: Barriers and Policy Solutions" lays out logistical and practical barriers to voting on tribal lands. Polling locations are few and far between in these rural areas, often requiring long car trips on dirt roads. Some voters living on the Navajo Nation, which covers large swaths of Arizona, New Mexico and Utah, trek nearly 100 miles to cast a ballot. Given indigenous poverty rates, these trips aren't just time consuming, but can be prohibitively expensive as well.

Some of the voting issues highlighted by the report are a product of the challenges of reservation life in general, including poor mail service that makes mail-in voting difficult and a lack of standardized residential addresses on some reservations that, combined with indifferent state election officials, makes registering to vote tougher.

The report also takes aim at state laws that require voter identification but do

not recognize tribal IDs; the failure to provide voting-related materials in indigenous languages; and electoral maps that split native communities into different districts, diluting their political strength.

In recent years, Democrats have introduced legislation that would add polling sites, expand the use of early in-person voting and ballot drop boxes, and expand voter registration access on tribal lands. But besides Oklahoma Rep. Tom Cole, who is a member of the Chickasaw Nation, no Republicans signed on as co-sponsors.

Elements of that bill were also part of a broader voting proposal, dubbed the Freedom to Vote Act, that passed the House in 2022 when Democrats had control but could not overcome a filibuster in the Senate. That measure and one dubbed the Voting Rights Advancement Act would make registering and voting easier and increase federal supervision of local voting precincts that had violated voting rights. Both measures faced Republican opposition.

The report details the history of how the sovereign Native nations were subsumed into the United States in piecemeal measures often motivated by white desires to subjugate indigenous people and exploit — or outright steal — tribal lands.

These sad chapters of U.S. history sit in stark contrast to the nation's loftiest ideals. In the same Declaration of Independence that proclaimed the self-evident truths "that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness," Natives are described as "the merciless Indian Savages." The same Constitution that sought to "form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity" excluded "Indians not taxed," from counting toward apportionment to the House, and thus from representation.

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NOTICE OF PUBLIC HEARING ON URBAN REDEVELOPMENT PLAN ENTITLED "CITY OF MABLETON, GEORGIA URBAN REDEVELOPMENT PLAN 2024"

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**City of Mableton,
Georgia
Urban Redevelopment Plan
2024**



Table of Contents

Executive Summary.....3

Background and Purpose.....3

City of Mableton URA Plan Boundaries.....4

Consistency with Adopted Plans.....5

Description of Urban Redevelopment Areas.....5

Negative conditions within the urban redevelopment areas.....7

Photographic Evidence.....8

Land Use Objectives.....10

Plan Impacts.....10

Project Specifics.....11

EXECUTIVE SUMMARY

This City of Mableton Urban Redevelopment Plan (“Plan”) shall constitute an Urban Redevelopment Plan for the City of Mableton, Georgia (the “City”) within the meaning of the “Urban Redevelopment Law,” Title 36, Chapter 61 of the Official Code of Georgia Annotated, as amended. This Plan meets the requirements of O.C.G.A § 36-61- 2(24) and conforms to the general plan for the City as a whole. This Plan further considers zoning and planning changes, land use issues, maximum densities, building and development requirements, and the plan's relationship to City goals regarding suitable land uses, improved traffic and public transportation, the provision of public utilities, the creation or expansion of recreational and community facilities, and other public improvements in identified urban redevelopment areas. This Plan will assist the positive growth and development of the new Georgia City of Mableton and will promote the general welfare of the City’s residents.

The steps to fulfil the requirements under the Urban Redevelopment Law:

- Define boundaries of an Urban Redevelopment Area.
- Develop a draft Urban Redevelopment Plan.
- Hold a public Hearing.
- Adopt a “Finding of Necessity”, declaring that there exist pockets of blight which constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of this state.

This resolution declares that certain pockets of blight or portions thereof may require acquisition, clearance, and disposition subject to use restrictions. Additionally, this resolution declares that public money may be expended, and the power of eminent domain may be exercised for the purposes of removing blight.

- Adopt the Urban Redevelopment Plan and designate an Urban Redevelopment Agency responsible for implementation.

BACKGROUND AND PURPOSE

Certain areas within the City of Mableton meet the State of Georgia criteria for targeted urban redevelopment, as defined by the State of Georgia Urban Redevelopment Law (O.C.G.A. 36-61-1 *et seq.*). These areas present conditions of persistent deteriorating or inadequate utility, transportation, or transit infrastructure; a predominance of buildings or improvements, which by reason of dilapidation, deterioration, age, vacancy, or obsolescence are detrimental to the public health, safety, morals, or welfare; the presence of a substantial number of vacant, deteriorated, or deteriorating structures; or a combination of such conditions. As such, the persistence of these conditions substantially impairs or arrests the sound growth of the City, detain the provisions of

adequate housing accommodations, and constitutes an economic and social liability that is a menace to the public health, safety, morals, or welfare in its present condition and use.

As such, the State of Georgia enables the use of redevelopment tools through the Urban Redevelopment Law to undertake actions to improve the “public health, safety, morals and welfare” of a specifically designated and qualifying area, otherwise labeled as an Urban Redevelopment Area. In order to enact these tools, an area must be declared to be meeting certain standards for depressed or derelict conditions based upon the predominance of the physical indicators mentioned above. In addition to identifying areas that meet these conditions, an Urban Redevelopment Plan must be approved which conforms to the general plan of the City as a whole (O.C.G.A.36-61-2 (24)). This document is intended to fulfill the role of the Urban Redevelopment Plan for the City of Mableton and identify the Urban Redevelopment Area (URA) as adopted by the City.

This document will highlight several significant tools that could be used to begin addressing the poor environmental quality pervasive within the URA and contribute to sustainable growth for the City as a whole.

BOUNDARIES OF THE URA

The urban redevelopment area is made up of certain areas, each of which has been determined to be a “pocket of blight” and each of which displays the presence of conditions or a combination of factors that substantially impairs and arrests the sound growth of the City of Mableton. For the purposes of the plan, these areas are identified as Area 1 and is more fully defined below.

"Pocket of blight" means an area in which there is 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, are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime and detrimental to the public health, safety, morals, or welfare.

“Pocket of blight” also means an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures; predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness; unsanitary or unsafe conditions; deterioration of site or other improvements; tax or special assessment delinquency exceeding the fair value of the land; the existence of conditions which endanger life or property by fire and other causes; having development impaired by airport or transportation noise or other environmental hazards; or any combination of such factors, substantially impairs or arrests the sound growth of a municipality or county, retards the provisions of housing

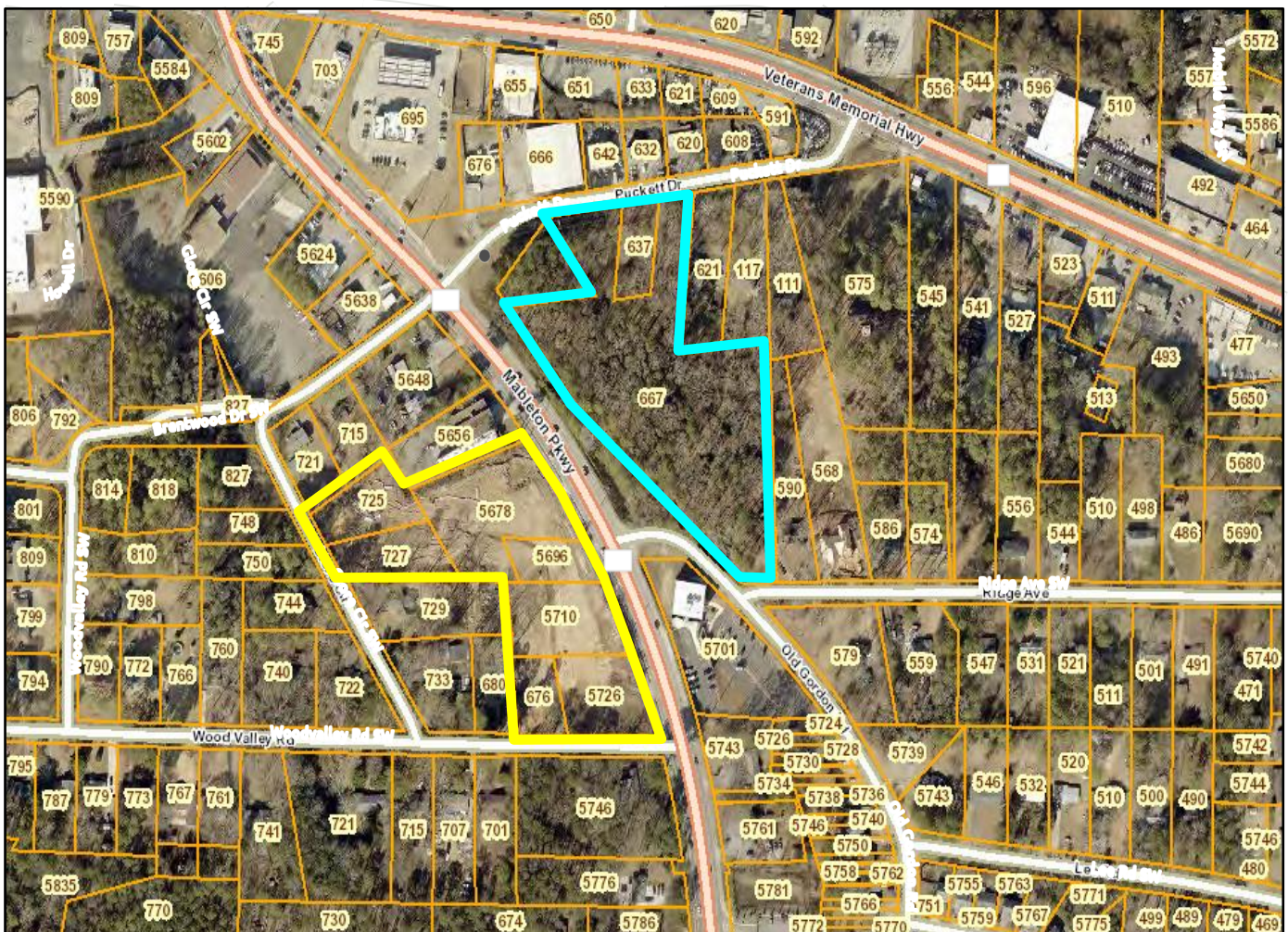
accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use.

CONSISTENCY WITH OTHER CITY PLANS

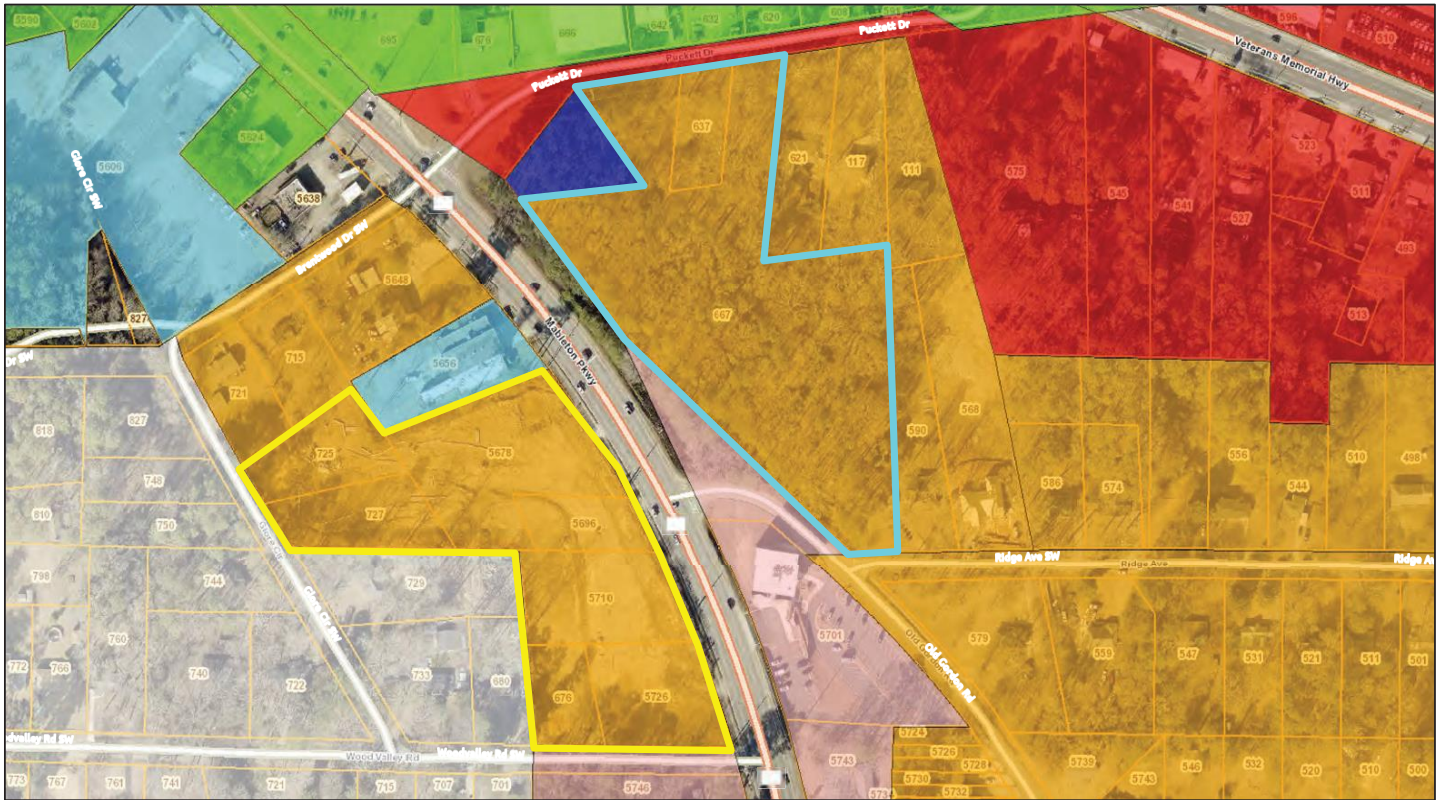
This plan is consistent with the plans as adopted or proposed by the City and the plans regarding Cobb County’s future. A vision that included neighborhoods, businesses, industries, investments, redevelopment, recreation, and quality of life. This Plan will assist in pursuing redevelopment projects and partnerships that will support those goals.

DESCRIPTION OF URBAN REDEVELOPMENT AREA

- URA Area 1—Mableton Parkway and Puckett Drive
 - This area is a mix of residential and commercial under current zoning



Proposed Mableton Parcels Under the Plan—Medium Density Residential/Mixed Use



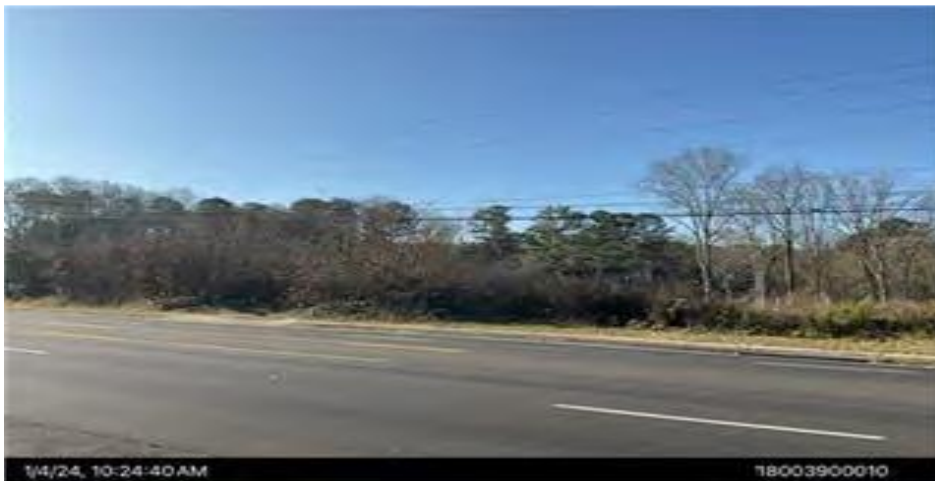
NEGATIVE CONDITIONS WITHIN THE URBAN REDEVELOPMENT AREAS

The URA has future economic potential, however, it has been determined to be a pocket of blight that contains: underutilized commercial land and structures; deteriorated or poorly maintained housing stock; vacant and overgrowth areas; obsolescent buildings or facilities; visual blight; substandard public infrastructure, including lack of sidewalks and pedestrian amenities, lighting, open space; inefficient street layout; and fragmented, inappropriate or commercially nonviable subdivision platting or lot layout; the high land to building value makes the properties located in the URA economically viable for redevelopment.

PHOTOGRAPHIC EVIDENCE

URA 1







LAND USE OBJECTIVES

- Types of Uses
 - Land uses in the URA and surrounding area will be a mixture of commercial, residential, and mixed-use. The allowable land uses in the URA are diverse enough to permit a wide range of commercial and residential uses.
- Building Requirements
 - The City of Mableton will utilize the building requirements and life-safety regulations that will be in effect under the City's Code.
- Zoning Changes
 - Zoning classifications in the Mableton Zoning Ordinance ("ZO") should be appropriate to drive redevelopment in the URA. If zoning changes are proposed to individual parcels, or as amendments to the ZO or Zoning Map are made, those changes will conform to O.C.G.A. Title 36 Chapter 66, known as "The Zoning Procedures Law."
- Description of Parcels to be Acquired.
 - The City does anticipate acquiring certain property under this Plan for the purposes of promoting highest land uses consistent with the Plan.

PLAN IMPACTS

Historic Preservation Considerations

The City of Mableton values its local history and heritage, and this Plan seeks to preserve as many historic structures as possible. No historic properties will be impacted by this Plan.

Strategy for Relocating Displaced Residents

The City has determined that the development of a relocation strategy is not necessary at this time. In the event displacement of residents becomes necessary at a later date, this Plan will be amended

to incorporate a plan for relocating displaced residents in accordance with all local and state statutory requirements.

Strategies for Access to Affordable Housing

Revitalization efforts in the Urban Redevelopment Area and surrounding area will focus on promoting mixed-use development and redevelopment in the City of Mableton.

Covenants and Restrictions to be Placed on Properties

No covenants or restrictions will be placed on properties at this time. Should circumstances arise where making use of covenants and restrictions becomes necessary, this Plan will be amended.

Strategy for Leveraging Private Resources for Redevelopment

The purpose of this Plan is to encourage private redevelopment to the greatest extent possible. Implementation of this Plan will focus on master planning efforts and funding mechanisms for necessary public infrastructure to attract increased private development. This includes local developers and community and nonprofit organizations.

Public Infrastructure to be Provided

The City will work to provide the public infrastructure necessary to promote public and private redevelopment in these areas.

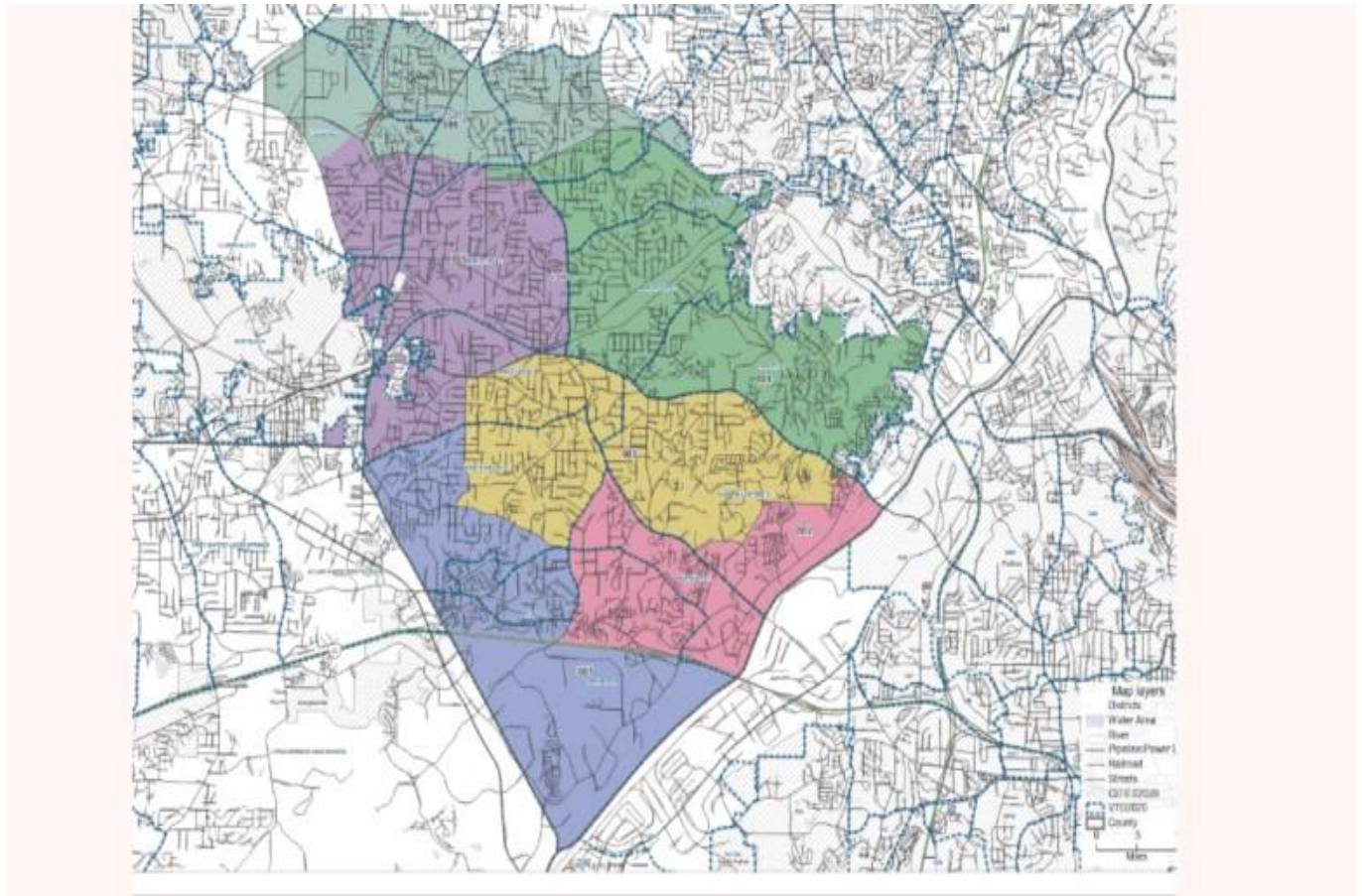
PROJECT SPECIFICS

To address the issues of runoff, vacant and overgrowth areas, substandard public infrastructure, and reduce pockets of blight within Area 1 and to establish a passive pocket park and/or other recreational facilities within Area 1 that will promote further development by the City of Mableton. As more projects are identified, this section will be updated with the specifics.

Appendix A:

1. City Map
2. URA Establishing Resolution

City of Mableton, Georgia



**A PREREQUISITE RESOLUTION DECLARING THE NEED OF A MABLETON
URBAN REDEVELOPMENT AGENCY, ESTABLISHING AN URBAN
REDEVELOPMENT AREA FOR OTHER LAWFUL PURPOSES**

WHEREAS, the City of Mableton (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia;

WHEREAS, the duly elected governing authority of the City is the Mayor and Council thereof (“City Council”);

WHEREAS, it has been determined that there exists within the City areas in which there is inadequate transportation, connectivity and infrastructure, unoccupied and deteriorated buildings, tax delinquency and other adverse economic and social conditions;

WHEREAS, the Urban Redevelopment Law requires, as a condition to the exercise of any of the powers conferred by the Urban Redevelopment Law, the adoption of a resolution finding that one or more pockets of blight exist in the City and that the rehabilitation, conservation or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals or welfare of its residents;

WHEREAS, the Urban Redevelopment Law defines an urban redevelopment area to include an area which: (1) the governing body of the municipality designates as appropriate for an urban redevelopment project and (2) by reason of the presence of a substantial number of deteriorated or deteriorating structures; predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness; unsanitary or unsafe conditions; deterioration of site or other improvements; tax or special assessment delinquency exceeding the fair value of the land; the existence of conditions which endanger life or property by fire and other causes; having development impaired by airport or transportation noise or other environmental hazards; or any combination of such factors substantially impairs or arrests the sound growth of the municipality, retards the provisions of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use;

WHEREAS, City Council hereby finds that one or more areas exist within the City, including the parcels of land in the City within the yellow and blue highlighted areas identified in Exhibit A (attached hereto and made a part hereof), meeting the Urban Redevelopment Law’s definition of a “pocket of blight” and that it is in the public interest of the City that the Urban Redevelopment Law be exercised in order to remediate conditions within the City which constitute an economic and social liability, impairs or arrests the sound growth of the City and for which the rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of City residents;

WHEREAS, the City Council desires to designate the parcels of land within the City within the yellow and blue highlighted areas identified in Exhibit A as **Mableton Urban Redevelopment Area No. 1**, as such area may be amended from time to time;

WHEREAS, in order to facilitate the financing of certain “urban redevelopment projects” within Urban Redevelopment Area No. 1, the City Council desires that an urban redevelopment plan be prepared in accordance with § 36-61-7(b) of the Urban Redevelopment Law; and

WHEREAS, this Resolution will benefit the health and general welfare of the City, its citizens and general public.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL as follows:

Section 1.

- a. **Declaration of Necessity.** The City Council hereby finds, determines, and declares that one or more pockets of blight exist in the City and that the rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City.
- b. **Establishment of Mableton Urban Redevelopment Areas.** The City Council hereby declares that the yellow and blue highlighted parcels identified in Exhibit A, **Mableton Urban Redevelopment Area No. 1**, qualify as an Urban Redevelopment Area (i) in which there is a predominance of buildings or improvements which by reason of dilapidation, deterioration, age or obsolescence and inadequate provision for ventilation, light, air, sanitation, or open spaces of buildings or improvements is conducive to ill health, delinquency and is detrimental to the public health, safety, morals or welfare, (ii) which by reason of a predominance of defective or inadequate street layout substantially impairs the sound growth of the City and (iii) which by reason of the presence of a substantial number of deteriorated or deteriorating structures constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use. The City Council furthermore declares that by reason of these conditions such area is designated as appropriate for an urban redevelopment project.
- c. **Rehabilitation and Redevelopment of Urban Redevelopment Area.** The City Council finds, determines, and declares that the rehabilitation and redevelopment of City urban redevelopment areas, including **Mableton Urban Redevelopment Area No. 1**, is likely to improve the economic and social conditions of such urban redevelopment areas and abate or eliminate deleterious effects of its current depressed and underutilized state.
- d. **Urban Redevelopment Plan; Notice Publication.** The City Manager is hereby directed, by and through City Staff, and in conjunction with the City Attorney to cause for a

proposed "Urban Redevelopment Plan" to be prepared for the **Mableton Urban Redevelopment Area No. 1** and to cause notice of a public hearing to be published for the purpose of considering such Urban Redevelopment Plan in accordance with §36-61-7(c) of the Urban Redevelopment Law and other applicable laws.

Section 2. It is hereby declared to be the intention of the City Council that:

- (a) All sections, paragraphs, sentences, clauses and phrases of this Resolution are or were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.
- (b) To the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. No section, paragraph, sentence, clause or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.
- (c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution 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 phrases, clauses, sentences, paragraphs or sections of the Resolution.

Section 3. The City Attorney and the City Clerk are authorized to make non-substantive editing and renumbering revisions to this Resolution for proofing and renumbering purposes.

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

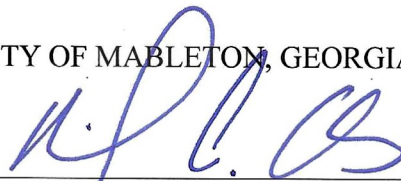
BE IT SO RESOLVED, this 5th day of June, 2024.

ATTEST:



Susan D. Hiott, City Clerk

CITY OF MABLETON, GEORGIA:



Michael Owens, Mayor

APPROVAL AS TO FORM:



Emilia Walker-Ashby, Interim City Attorney

