

STATE OF GEORGIA

CITY OF HAMPTON

ADOPTED BY THE GOVERNING BODY THIS 14 DAY OF Sept., 2021.

ORDINANCE NO. 2021-560

AN ORDINANCE OF THE CITY OF HAMPTON'S MAYOR AND COUNCIL AMENDING CHAPTER 54 OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE I IN GENERAL, SECTION 54-10 OBSTRUCTING RIGHT-OF-WAY AND SURROUNDINGS; TO ALLOW FOR AN AMENDMENT TO SUBSECTION (A)(1); TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE.

WHEREAS, the City of Hampton (hereinafter "City") is governed by the Mayor and Council; and

WHEREAS, the City of Hampton prohibits the obstruction of the City street, sidewalk, and right-of-way and provides penalty thereof; and

WHEREAS, it is the desire of this Council to amend its ordinances to include grass and yard clippings as there has been an issue with grass and yard clippings being blown into City streets and sidewalks obstructing motorists and impacting the stormwater; and

AND WHEREAS, it is in the City's best interest to revise the current Code of Ordinances to amend (a)(1) of Section 54-10 and replace it with the following language.

Section 1. NOW THEREFORE IT IS HEREBY RESOLVED that Section 54-10(a)(1) of the City Code be repealed and recreated so that as recreated, Section 54-10(a)(1) shall read:

Sec. 54-10. Obstructing right-of-way and surroundings.

- (a) Obstruction of street, sidewalk or right-of-way.
- (1) No person shall place or cause to be placed in any street, right-of-way or sidewalk, debris, **grass and yard clippings**, rubbish, irrigation water, boxes, displays, signs, poles, goods, merchandise or any other object so as to impede or endanger traffic on the streets or sidewalks.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Hampton.

Section 4. This Ordinance shall take effect immediately upon its adoption. All Ordinances in conflict herewith are expressly repealed. It is the intention of the governing body, 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 Hampton, Georgia, and the sections of this Ordinance may be renumbered, if necessary, to accomplish such intention.

Section 5.

- a. It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.
- b. It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause and phrase of this Ordinance is severable from every other, section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
- c. In the event that any phrase, clause, sentence, paragraph or Section of this Ordinance 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 Mayor and 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 Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and Sections of the Article shall remain valid, constitutional, enforceable, and of full force and effect.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

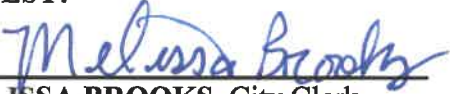
SO ORDAINED, this 14 day of Sept., 2021.

CITY OF HAMPTON, GEORGIA



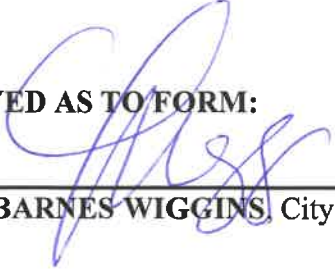
STEVE HUTCHISON, Mayor

ATTEST:



MELISSA BROOKS, City Clerk

APPROVED AS TO FORM:



L'ERIN BARNES WIGGINS, City Attorney

First Reading: 8/17/21
Second Reading/
Adoption: 9/14/21