

RESOLUTION NO. 08-003

A RESOLUTION ESTABLISHING THE REGULATORY FEE FOR A SOLICITOR'S LICENSE; REPEALING CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, O.C.G.A. § 36-35-3(a) authorizes the City of Flowery Branch to adopt clearly reasonable ordinances relating to its property, affairs, and local government; and

WHEREAS, Section 6.5 of the City of Flowery Branch Charter authorizes the city council to adopt ordinances requiring any individuals or corporations who transact business in the city to obtain a license or permit for such activity from the city and pay a reasonable fee for such license to the extent not precluded by state law; and

WHEREAS, O.C.G.A. § 48-13-8(b) authorizes the City of Flowery Branch to provide by local ordinance for imposition and collection of regulatory fees on businesses doing business within the corporate limits and for punishment of violation of such a local ordinance; and

WHEREAS, O.C.G.A. § 48-13-9 authorizes the City of Flowery Branch to investigate said businesses as protection of the public health, safety or welfare; and

WHEREAS, the City Council of the City of Flowery Branch adopted Ordinance No. 374 by virtue of the above-stated authority; and

WHEREAS, Section 9 and Section 10 of Ordinance No. 374, authorize the establishment of said regulatory fees for the initial issuance of a solicitor's license and the renewal of said license by resolution of the City Council.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Flowery Branch that the regulatory fees for a solicitor's license as follows:

Section 1. Regulatory Fees.

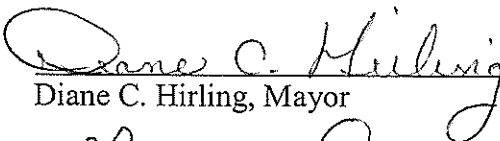
Initial Solicitor's License - \$60.00

Section 2. Repeal of Conflicting Resolutions. Any part of any prior resolutions in conflict with the terms of this Resolution, are hereby repealed to the extent of the conflict; but it is hereby provided, that any resolution, ordinance or law which may be applicable hereto and aid in carrying out and making effective the intent, purpose and provisions hereof, is hereby adopted as a part hereof and shall be legally construed to be in favor of upholding this Resolution on behalf of the City of Flowery Branch.

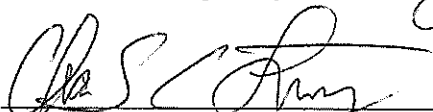
Section 3. Severability. If any paragraph, subparagraph, sentence, clause, phrase or any portion of this Resolution shall be declared invalid or unconstitutional by any court or competent jurisdiction or if the provisions of any part of this Resolution as applied to any particular situation or set of circumstance shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Resolution not so held to be invalid, or the application of the Resolution to other circumstances no so held to be invalid. It is hereby declared to be the intent of the City Council of the City of Flowery Branch to provide for separate and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

Section 4. Effective Date. This Resolution shall become effective the date it is adopted by the Council of the City of Flowery Branch.

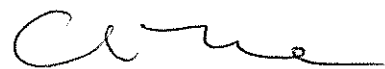
SO RESOLVED this 2ND day of April, 2008.



Diane C. Hirling, Mayor



Craig Lutz, Council Member, Post 1



Chris Fetterman, Council Member, Post 2



Pat Zalewski, Council Member, Post 3



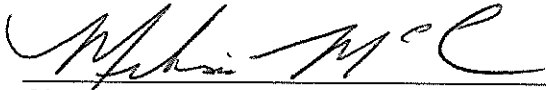
Allen J. Bryans, Sr., Council Member, Post 4



Mary Jones, Council Member, Post 5

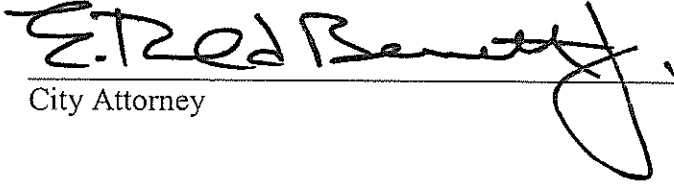
Signatures Continued Next Page

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney