

CITY OF KENNESAW
GEORGIA

ORDINANCE NO. 2011-08, 2011

AN ORDINANCE AMENDING THE KENNESAW CODE OF ORDINANCES
CHAPTER 80 "SUBDIVISIONS," ARTICLE VI "REQUIRED MINIMUM
IMPROVEMENTS," SECTION 80-184 "GUARANTEES"

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KENNESAW,
COBB COUNTY, GEORGIA, AS FOLLOWS:

WHEREAS, Chapter 80 "Subdivisions," Article VI "Required Minimum Improvements,"
Section 80-184 "Guarantees" shall be amended as follows:

The subdivider shall guarantee to the city, for a period of two years after completion and acceptance of the improvements, all material and workmanship. The subdivider shall post a bond in the form of government surety, cash, irrevocable letter of credit, or any combination with the city, conditioned upon the faithful performance of such guaranty. In lieu of furnishing the subdivider's bond, the subdivider may assign to the city an approved contractor's guaranty and bond, government surety, cash, and/or irrevocable letter of credit. Such guaranty and bond, government surety, cash, and/or irrevocable letter of credit shall be posted prior to approval by the city of the subdivision plat. If a project is abandoned or discontinued by the original subdivider, contractor, or developer, prior to a new subdivider or developer undertaking development of that subdivision, he must provide the guaranty referenced in this section and post a bond in the form of government surety, cash, irrevocable letter of credit, or any combination of these with the city conditioned upon the faithful performance of that guaranty.

WHEREAS, the Public Hearings were duly advertised in the Marietta Daily Journal on June 3, 2011 and June 10, 2011.

BE IT FURTHER ORDAINED that this Ordinance shall become effective from and after its adoption and execution by the Mayor, pursuant to Section 2.11 of the City Charter of the City of Kennesaw.

NOW, THEREFORE, BE IT RESOLVED the Kennesaw City Council approves the amendments to Chapter 80 "Subdivisions," Article VI "Required Minimum Improvements," Section 80-184 "Guarantees" as stated.

PASSED AND ADOPTED by the Kennesaw City Council on this 5th day of July, 2011.

ATTEST:

CITY OF KENNESAW:

Debra Taylor, City Clerk

Mark Mathews, Mayor