

ORDINANCE 6967-2021

AN ORDINANCE AMENDING CHAPTER 14 – ANIMALS – OF THE CODE OF WOODSTOCK, GEORGIA, TO PROVIDE FOR REVISED PROVISIONS FOR LIVESTOCK, AND FOR OTHER PURPOSES

Whereas, the City of Woodstock, Georgia (hereinafter sometimes referred to as the "City") is a municipality duly formed and existing pursuant to Georgia Law; and

Whereas, the 1983 Constitution of the State of Georgia provides for the self-government of municipalities without the necessity of action by the General Assembly¹; and

Whereas, the City of Woodstock, Georgia has the legislative power to adopt clearly reasonable ordinances, resolutions or regulations relating to its property, affairs and local government for which no provision has been made by general laws, and which are not inconsistent with the Constitution or any charter provision applicable thereto²; and

Whereas, the City Council of the City of Woodstock, Georgia desires to amend Chapter 14 of the Code of Woodstock, Georgia as set forth herein.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL ORDAINS, by the lawful authority vested in them as follows:

Section 1. That Chapter 14 – Animals, Article I – In General, Section 14-2 – Fowl, livestock, swine restrictions within city limits; shall be amended by adding subparagraph (c) as follows:

“(c) Notwithstanding the prohibition in section (a) above, goats may be used for property maintenance, if all of the following requirements are met:

- 1) The owner of the property notifies the Community Development Director or designee at least twenty-four (24) hours in advance of the placement goats on the premises; and

¹ Ga. Const. 1983, Article IX, Section II, Paragraph II provides in pertinent part as follows:

“The General Assembly may provide by law for the self-government of municipalities and to that end is expressly given the authority to delegate its power so that matters pertaining to the municipalities may be dealt with without the necessity of action by the General Assembly.”

² O.C.G.A. §36-35-3(a) provides as follows:

“(a) The governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision applicable hereto. Any such charter provision shall remain in force and effect until amended or repealed as provided in subsection (b) of this Code Section. This Code Section, however, shall not restrict the authority of the General Assembly, by general law, to define this home rule power further or to broaden, limit, or otherwise regulate the exercise thereof. The General Assembly, shall not pass any local law to repeal, modify or supersede any action taken by a municipal governing authority under this Code section, except as authorized under Code Section 36-35-6.”

- 2) The goats brought to the premises are sufficiently contained by a fence and do not leave premises; and
- 3) The goats shall only be allowed on a premises for no more than fourteen (14) days in a given six (6) month period without the consent of the City Council; and
- 4) A property owner may request exceptions to this subsection with a direct appeal to the City Council; and
- 5) Government property is expressly exempt from this section.”

Section 2. Should any provisions of this Ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any provision thereof other than the provisions specifically declare to be invalid. The Mayor and Council hereby declare that it would have passed this Ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared illegal, invalid or unconstitutional.

Section 3. This Ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA, THIS 22 DAY OF February, 2021.


First Reading Date: February 8, 2021

Second Reading Date: February 22, 2021

Final Adoption Date: February 22, 2021

DocuSigned by:

 DONNIE HENRIQUES, MAYOR
 CITY OF WOODSTOCK, GEORGIA

DocuSigned by:

 RHONDA L. PEZZELLO, CLERK
 CITY OF WOODSTOCK

