

ORDINANCE NO. 10-2017

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
FOR THE CITY OF TYBEE ISLAND, GEORGIA,
TO AMEND SECTION 2-010(B), DEFINITIONS, TO CHANGE
THE DEFINITION OF *HEIGHT OF BUILDING*

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is authorized under Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, safety, and welfare of the citizens of Tybee Island, Georgia, and

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is the Mayor and Council thereof, and

WHEREAS, the governing authority desires to adopt ordinances under its police, zoning, and home rule powers, and

WHEREAS, recent amendments to the Code pertaining to the measurement of the height of buildings in connection with construction on improved structures, including the battery, necessitate providing for revisions to the definition of *Height of building*; and

WHEREAS, the governing authority desires to amend Section 2-010(B), Definitions, so as to change the definition of *Height of building*,

NOW, THEREFORE, It is hereby ordained by the governing authority of the City of Tybee Island that Section 2-010(B), Definitions, shall delete the current definition of *Height of Building* so as to hereafter read as hereinafter provided.

SECTION 1

The Code of Ordinances is hereby amended so as to revise Section 2-010(B), Definitions, so that the definition of *Height of building* shall hereafter read as follows:

Sec. 2-010.

B. Definitions.

Height of building unless otherwise specifically defined or described by ordinance, means the vertical distance measured from the average adjacent grade of the building to the extreme high point of the building, exclusive of chimneys, heating units, ventilation ducts, air conditioning units, elevators and similar appurtenances.

SECTION 2

The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared illegal or invalid by the valid judgment or decree of any court of competent jurisdiction, such illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

SECTION 3

All ordinances and parts of ordinances in conflict herewith are expressly repealed.

SECTION 4

It is the intention of the governing body, and it is hereby ordained, that the provisions of this ordinance shall become effective and be made a part of the Code of Ordinances, City of Tybee Island, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

SECTION 5

This ordinance shall be effective upon its adoption by the Mayor and Council pursuant to the ordinances of the City.

ADOPTED THIS 13 DAY OF July, 2017.


MAYOR

ATTEST:



CLERK OF COUNCIL

FIRST READING: 6/18/17
SECOND READING: 7/18/17
ENACTED: 2/13/17

Tybee/Ordinances 2017/10-2017 2-010 definition height of bldg. 05.08.17

