

ORDINANCE NO. 2019-05

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
FOR THE CITY OF TYBEE ISLAND, GEORGIA,
TO AMEND THE PROVISIONS OF CHAPTER 22, ARTICLE IV,
NOISE, SO AS TO REPEAL THE EXISTING ORDINANCE
AND TO ADOPT A NEW ORDINANCE FOLLOWING
THE PUBLICATION OF NOTICE AS REQUIRED BY
STATE LAW AND TO ESTABLISH AN EFFECTIVE DATE AND
TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES

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, including the environment thereof; and

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

WHEREAS, the City of Tybee Island has in place a noise ordinance designated as Section 22-110; and

WHEREAS, such noise ordinance is a general noise ordinance addressing various kinds of sources of noise and noises in general including all manner of sounds or noises; and

WHEREAS, the City also has an ordinance designated as 46-66, et seq. and which addresses the use and sale of consumer fireworks; and

WHEREAS, due to changes in state law applicable to fireworks and noise ordinances, it is appropriate and necessary for the City to adopt a new noise ordinance which shall generally apply to all sounds and noises within the City.

NOW, THEREFORE, It is hereby ordained by the Mayor and Council of the City of Tybee Island that The Code of Ordinances of the City of Tybee Island, Georgia, SHALL BE AMENDED AS FOLLOWS:

SECTION 1

Present Article IV, Chapter 22, Noise, Sections 22-110 and 22-112 are to be repealed and replaced with identical Sections 22-110 and 22-112, including all subsections of each section thereof. Therefore, the ordinance and Article are readopted and are to be in full force and effect upon the effective date hereof.

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 Code of the City of Tybee Island, Georgia.

ADOPTED THIS 28 DAY OF March 2019

MAYOR



ATTEST:

[Signature]
CLERK OF COUNCIL

FIRST READING: 2/28/19

SECOND READING: 3/28/19

ENACTED:

3/28/19

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