

**AN ORDINANCE TO AMEND CHAPTER 14, LAND DEVELOPMENT AND SUBDIVISIONS, ARTICLE IV, POST CONSTRUCTION STORMWATER MANAGEMENT FOR NEW DEVELOPMENT AND REDEVELOPMENT, OF THE CODE OF THE CITY OF BROOKHAVEN**

**WHEREAS,** Section 1.03(b)(8) of the Charter of the City of Brookhaven grants the City of Brookhaven the power to protect and preserve the natural resources, environment, and vital areas of the city, the region, and the state through the enactment of ordinances that preserve and improve air quality, restore and maintain water resources, the control of erosion and sedimentation, manage storm water and establish a storm-water utility, manage solid and hazardous waste, and provide other necessary or beneficial actions for the protection of the environment; and

**WHEREAS,** Section 1.03(b)(12) of the Charter of the City of Brookhaven grants the City of Brookhaven the power to define, regulate, and prohibit any act, practice, conduct, or use of property which is detrimental to health, sanitation, cleanliness, welfare, and safety of the inhabitants of the city, and to provide for the enforcement of such standards; and

**WHEREAS,** the Mayor and City Council find that amendments to the tree preservation, management, and maintenance ordinance are necessary to ensure preserve the environment, protect safety of citizens, and prevent nuisances.

**BE IT ORDAINED** by the Mayor and Council of the City of Brookhaven, Georgia and it is hereby ordained by the authority of same:

**SECTION I:**

Chapter 14, Land Development and Subdivisions, and Subdivisions, Article IV, Post Construction Stormwater Management for New Development and Redevelopment, is amended to read as shown in the attached mark-up.

**SECTION II:**

**Severability:** Should any section of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

**SECTION III:**

**Repeal of Conflicting Provisions:** All ordinances, part of ordinances, maps, or regulations in conflict herewith are repealed.

**SECTION IV:**

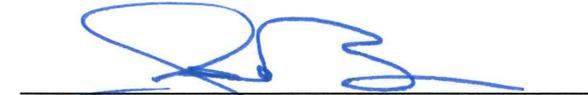
**Effective Date:** This ordinance shall be effective immediately upon adoption.

SO ORDAINED, this 24<sup>th</sup> day of October, 2023.

Approved by:

  
\_\_\_\_\_  
John Arthur Ernst Jr., Mayor

Approved as to Form and Content

  
\_\_\_\_\_  
Jeremy Berry, City Attorney

Attest:

  
\_\_\_\_\_  
Sandra Bryant, City Clerk

