

**STATE OF GEORGIA
COUNTY OF CLAYTON**

ORDINANCE NO. 08- 221

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CLAYTON COUNTY, GEORGIA, SPECIFICALLY ARTICLE 1 BASIC PROVISIONS, SECTION 1.5, DEFINED WORDS, TO DELETE THE DEFINITION OF HOME OCCUPATIONS AND INSERT IN LIEU THEREOF A NEW DEFINITION FOR HOME OCCUPATIONS; ADOPTING A NEW DEFINITION FOR HOME OCCUPATIONS; TO REPEAL CONFLICTING LAWS AND ORDINANCES; TO PROVIDE SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, on May 22, 2008, the Board of Commissioners adopted a new comprehensive Zoning Ordinance; and

WHEREAS, the Board of Commissioners has determined there is a need to revise certain provisions of Article 6, Development Standards, Section 6.10, Home Occupation Standards; and

WHEREAS, the Board of Commissioners as a result of the changes to Section 6.10, Home Occupations Standards, has determined that there is a need to re-define the definition of Home Occupations in Article 1 Basic Provisions, Section 1.5 Defined Words to include non-profit and not-for-profit businesses.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF CLAYTON COUNTY, GEORGIA. AND BY THE AUTHORITY OF SAME, IT IS HEREBY ORDAINED THAT THE CODE

**OF ORDINANCES OF CLAYTON COUNTY IS HEREBY AMENDED TO
READ AS FOLLOWS:**

Section 1. The Code of Ordinances of Clayton County, as amended, is hereby further amended by deleting in Article Basic Provisions, Section .5 Defined Words, the definition of Home Occupation and inserting in lieu thereof a new definition of Home Occupation to read as follows:

Home Occupation: Any activity carried out for financial gain or profit by a resident or operating as a for-profit, non-profit, or not-for-profit entity, and conducted as a customary, incidental, and accessory use in the resident's dwelling.

SECTION II

(a) It is hereby declared to be the intention of the Board of Commissioners that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Board of Commissioners to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase therein. It is hereby further declared to be the intention of the Board of Commissioners, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid,

unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION III.

All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION IV.

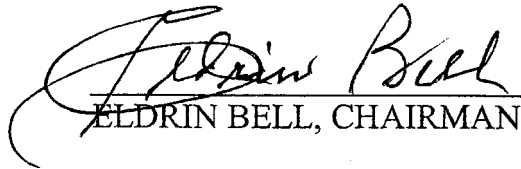
The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

{SIGNATURES NEXT PAGE}

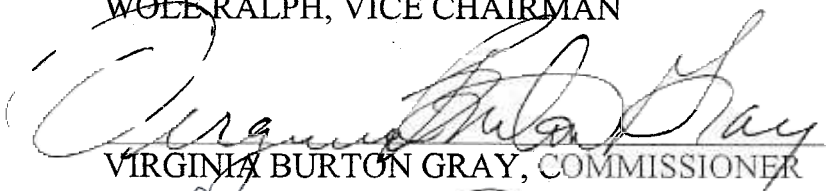
SO ORDAINED this 2nd day of December

2008.

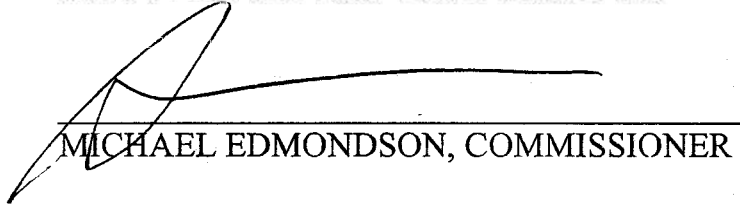
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN

Absent
WOLF RALPH, VICE CHAIRMAN


VIRGINIA BURTON GRAY, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


REGINA SMITH, ASSISTANT CLERK