

STATE OF GEORGIA  
COUNTY OF FULTON

**AN ORDINANCE PROVIDING FOR THE CONTINUATION OF ORDINANCE AND LAW  
DURING THE TRANSITION PERIOD LEGISLATIVELY ESTABLISHED FOR THE  
CITY OF SANDY SPRINGS, GEORGIA AND THE ADOPTION OF ORDINANCES BY  
THE CITY OF SANDY SPRINGS, GEORGIA.**

**BE IT ORDAINED** by the City Council for the City of Sandy Springs, GA while in regular session on December 1, 2005 at 12:01 a.m. as follows:

**SECTION 1.** That the General law of the State of Georgia provides for a transition period, not to exceed twenty-four (24) months, for the orderly transition of governmental functions from the county to a new municipal corporation during which, the new municipal corporation can assume individual governmental functions as authorized by law. O.C.G.A. § 36-31-8; and

**SECTION 2.** That the Charter Act for the City of Sandy Springs (HB37, General Assembly 2005) provides for the transition period beginning December 1, 2005, and ending at midnight on December 31, 2006, during which transition period, until assumed by the City, Fulton County shall continue to provide within the territorial limits of Sandy Springs all government services and functions which Fulton County provided in that area as of the date of enactment of the Charter for Sandy Springs, except as is otherwise provided by the Charter; and

**SECTION 3.** That accordingly, It is hereby declared by the City Council for the City of Sandy Springs that until: (1) repealed by the City Council by specific reference to the law or Ordinance of the Code of Fulton County, or (2) the City Council adopts regulation by the valid passage and adoption of an ordinance by the City Council affirmatively replacing specific Fulton County ordinances in conformance with the Charter of the City of Sandy Springs, Georgia, and O.C.G.A. § 36-31-8, all existing laws and ordinances of Fulton County, in effect as of November 30, 2005 shall continue in full force and effect within the territorial limits of the City of Sandy Springs for the term of the Charter transition period, or until otherwise repealed or replaced as contemplated herein. Subject to the following exception, to wit: as general law of the State of Georgia prohibits a local government from taking action resulting in a zoning decision without compliance with statutory requirements (Georgia Law Title 36, Chapter 66) the zoning ordinances of Fulton County as relating to zoning procedures to be applied are specifically not continued as a part of the ordinances of the City of Sandy Springs; and

**SECTION 4.** That further, pursuant to the authority as granted in its Charter for the adoption of emergency ordinances and the adoption of ordinances at the first business meeting of the Council in a calendar year, the City Council hereby affirmatively adopts and enacts all of those provisions of the Fulton County, Georgia Code of Ordinances which are not repealed or replaced by those certain Ordinances of the City of Sandy Springs, Georgia which are enacted contemporaneously herewith in this first business meeting of the City Council; and

For the purposes of this adoption, any reference contained in the Fulton County Code of Ordinances to: (1) Fulton County, Georgia shall be deemed to refer to the City of Sandy Springs, Georgia, (2) the Fulton County Board of Commissioners shall be deemed to refer to the Mayor and City Council of Sandy Springs, Georgia, (3) the County Manager shall be deemed to refer to the Interim and/or permanent City Manager of Sandy Springs, Georgia. Further, any duties or

functions carried out by boards, authorities, commissions, and/or other entities in the Fulton County Code of Ordinances shall be carried out by the Mayor and Council of Sandy Springs, Georgia or their duly authorized designees. Further, any other reference to any staff member or

staff function set out in the Fulton County Code of Ordinances shall be deemed to be the responsibility of the closest corresponding staff member or department in the City of Sandy Springs, or the Interim and/or permanent City Manager of Sandy Springs, Georgia or his or her duly authorized designees.

**SECTION 5.** That the Council finds an emergency exists for the adoption of governing laws and ordinances for the City of Sandy Springs for beginning its function as a city as of its Charter effective date, December 1, 2005, without interruption or loss of services and functions essential for the city, and the Council further finds the meeting at which this ordinance is adopted is the first meeting of the Council for the calendar year 2005; and

**SECTION 6.** That this Ordinance shall become effective upon its adoption.

ORDAINED this the 1<sup>st</sup> day of December, 2005.

Approved:

  
Eva Galambos, Mayor

Attest:

  
Jeanette R. Marchiafava, City Clerk

(Seal)

