

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE TO AMEND CHAPTER 54, ARTICLE V, SEC. 54-124
OF THE CITY OF SANDY SPRINGS CODE OF ORDINANCES SO AS TO
SPECIFY THE MEANS BY WHICH NOTICE SHALL BE GIVEN; THE
SCHEDULING OF A HEARING; AND THE MANNER OF APPEAL.**

WHEREAS, the City of Sandy Springs (the "City") previously enacted an ordinance imposing business and occupation taxes on businesses located within the City (the "Ordinance"), effective December 1, 2005; and

WHEREAS, at the time of enactment of the Ordinance, the City did not include specifics on and time periods for hearings on notices of intention to suspend or revoke occupation tax certificates and any appeals thereof;

NOW, THEREFORE, in order to accomplish the foregoing, the Mayor and City Council of the City, pursuant to their authority, do hereby amend Chapter 54, Article V, Sec. 54-124 of the City's Code of Ordinances by adopting the following:

Section 54-124(c)(1) is hereby stricken and replaced with the following to be known as Section 54-124(c)(1):

Whenever, in the opinion of the city, there is cause to suspend or revoke this certificate, a written notice of intention to suspend or revoke the certificate shall be sent by certified mail to the certificate holder. A hearing will be scheduled wherein the certificate holder may present his case before the city council or its designee. The hearing shall take place not more than 30 days after the issuance of the notice.

Section 54-124(c)(2) is hereby stricken and replaced with the following to be known as Section 54-124(c)(2):

After the hearing, the city council or its designee may suspend or revoke this certificate if the grounds set forth in subsection (c)(3) of this section exist or if the city council or its designee determines the establishment is a threat or nuisance to public health, safety or welfare. The findings and decision of the city council or its designee shall be forwarded in writing to the City's Tax Collector within 10 days after the conclusion of the hearing, and it shall be the duty of the City's Tax Collector to notify the certificate holder by certified mail of the action taken with a copy of the findings and decision within 10 days of receipt by the City's Tax Collector.

Section 54-124(c)(4) is hereby adopted and shall read as follows:

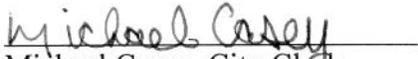
The decision of the city council or its designee shall be final unless the certificate holder applies to the Superior Court of Fulton County by filing a petition for writ of certiorari within 30 days of the decision rendered by the city council or its designee.

SO ORDAINED, this the 1st day of September, 2009.

Approved:


Eva Galambos, Mayor

Attest:


Michael Casey, City Clerk
(SEAL)

