

1STATE OF GEORGIA
COUNTY OF GWINNETT

ORDINANCE O-62-07

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF BERKELEY LAKE TO ADD A NEW ITEM 4 TO “EXEMPTIONS” IN CHAPTER 78-206; TO PROVIDE FOR ADDITIONAL EXEMPTIONS FOR CHILD CARE AND MUSIC INSTRUCTION; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR A REPEAL OF CONFLICTING PROVISIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BERKELEY LAKE that the Code of Ordinances of the City of Berkeley Lake shall be amended to add a new item 4 to the Exemptions Section of Chapter 78-206 as follows:

4. The following uses are permitted for the care of children, and for both adult and child educational purposes in recognition of the benefits that child care and educational home occupations provide to the community at large.

a.) Instruction in music, dance, arts and crafts, or tutoring services within an enclosed building, but limited to two pupils at one time, is permitted subject to the following:

1. Clients are permitted between the hours of 7:00 a.m. and 9:00 p.m.
2. Off-street parking must be provided and utilized.
3. All other requirements of 78-205 must be met, except subparagraphs (5) and (6).

b.) The care of not more than four (4) children for compensation is permitted subject to the following:

1. Off-street parking must be provided and utilized.
2. The hours of operation shall be limited to 7:00 a.m. To 7:00 p.m.
3. Outdoor play shall be limited to occur between the hours of 10 a.m. and 7:00 p.m.

4. All other requirements of 78-205 must be met, except subparagraphs (2), (5) and (6).

Severability

If any article, section, subsection, paragraph, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, such decision shall not affect or invalidate the remaining portions of this ordinance.

Repeal of Conflicting Provisions.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Effective Date

This ordinance shall be effective upon its adoption by the Council of the City of Berkeley Lake.

SO ORDAINED this ____ day of _____, 2007.

LOIS SALTER, MAYOR
CITY OF BERKELEY LAKE

ATTEST:

LEIGH THREADGILL
City Administrator

First Read: October 18, 2007
Second Read and Adoption: _____