

A RESOLUTION TO SERVE AS OFFICIAL NOTIFICATION OF THE CITY OF PEACHTREE CORNERS' INTENT TO TRANSFER CERTAIN SERVICES FROM GWINNETT COUNTY TO THE CITY OF PEACHTREE CORNERS AT MIDNIGHT JUNE 30, 2012

WHEREAS, the Mayor and Council are the governing authority of the City of Peachtree Corners, Georgia; and

WHEREAS, the City of Peachtree Corners has been incorporated by an Act of the Georgia Legislature pursuant to HB 396 ("City Charter") of the 2011 Georgia General Assembly; and

WHEREAS, the Charter of the City of Peachtree Corners Georgia states that the City shall be authorized to bring full operation of its services at midnight on June 30, 2012; and

WHEREAS, pursuant to Section 8.11(e) of the Charter, the City of Peachtree Corners may, at any point during the Transition period which began with the election of the duly elected City Mayor and Councilmembers, transfer responsibility for any government service and function of the City from Gwinnett County to the City of Peachtree Corners upon sixty (60) days' notification to the County of the City's intent to do so; and

WHEREAS, pursuant to the City Charter, the City of Peachtree Corners intends to transfer its regulatory authority over all land use, permitting, alcohol and business licensing, development, and other powers and services as provided herein, but, pursuant to the City Charter, the collection of any fines, fees, taxes and other monies related to said powers shall remain with Gwinnett County until the end of the Transition Period, December 31, 2013, unless the City otherwise adopts a follow-up Resolution giving the County 60 days' notice of the City's desire to begin collecting said fees, but in no sense prior to December 1, 2012.

NOW, THEREFORE, BE IT RESOLVED BY THIS MAYOR AND COUNCIL OF THE CITY OF PEACHTREE CORNERS, GEORGIA, while in Session on May 1, 2012, as follows:

Section 1. That the City shall undertake the following powers, regulations and services pursuant to the City Charter as of 12:00 midnight on June 30, 2012: Levy of all taxes, including all ad valorem, hotel/motel, and occupation taxes as permitted by State law and the City Charter; authorize and grant franchises for use of City right-of-ways pursuant to the Charter; regulate and license all businesses pursuant to state law, including, but not limited to, massage parlors, taxicabs, adult entertainment establishments; to regulate licensing of alcoholic beverages inside the boundaries of the City; to regulate building permits and construction and

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development; to regulate zoning and land use; to regulate signs within the City boundaries; to provide by Ordinance for various offenses, including traffic and roadway control; and to adjudicate Ordinance violations and other violations in the City Municipal Court and the City shall be authorized to begin operation of said Municipal Court.

Section 2. That the collection of any fees, fines, taxes, and granting of licenses and permits for all regulations and powers stated in Section 1 of this Resolution shall remain with Gwinnett County until December 31, 2013 or until such other time as the City adopts a Resolution to transfer said permitting and collection services to the City, but in any event not earlier than December 1, 2012 pursuant to the provisions of the Charter.

Section 3. That the Mayor and City Attorney are hereby authorized and directed to deliver an executed copy of this Resolution and concurrent correspondence to Gwinnett County, notifying Gwinnett County that the City intends to undertake the services stated herein as of midnight on June 30, 2012, pursuant to Section 8.11 of the City Charter. The Mayor and City Attorney are hereby authorized to conduct all actions necessary to effect the provisions of this Resolution.

SO RESOLVED AND EFFECTIVE, this 1st day of May, 2012.

Approved:

Mike Mason, Mayor

Attest:

Joan C. Jones, Acting City Clerk

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