

ARTICLE 14

ADOPTION AND AMENDMENT

14.1 EFFECTIVE DATE

14.1.1 These Regulations shall be in full force and effect following the adoption by the City Commission of the City of Buford, Georgia, and shall apply to any Land Disturbance Permit for which an application is received after the effective date of these Regulations.

14.1.2 Any subdivision or other project for which a valid and complete application for a Development Permit shall have been received prior to the effective date of these Regulations shall be considered “grandfathered” and, at the developer’s option, may proceed to completion and building permits may be issued under the Subdivision Regulations of the City of Buford in place prior to the effective date of these Regulations, provided that the Development Permit is or can be issued within ninety (90) calendar days of said effective date of all time frames associated with said permit are observed.

14.1.3 Any subdivision or other project for which a Development Permit has been issued prior to the effective date of these Regulations shall be considered “grandfathered” and, at the developer’s option, may proceed to completion and building permits may be issued under the terms of said permit and the Subdivision Regulations of the City of Buford in place prior to said effective date.

14.1.4 Any subdivision or other project for which only a Clearing, Clearing and Grubbing, or Grading Permit shall have been issued prior to effective date of these Regulations shall be brought into conformance with these Regulations prior to issuance of a Development Permit. Administrative modifications in accordance with Article 13 shall be granted as necessary and appropriate where full compliance is not feasible or cannot reasonably be achieved because of the stage of development, limitations imposed by the site, or design parameters.

14.1.5 Nothing in these Regulations shall be construed to affect the validity of any building permit lawfully issued prior to the effective date of these Regulations.

14.2 ADMENDMENTS

14.2.1 These Regulations may be amended from time-to-time by resolution of the Board of Commissioners of the City of Buford. Such amendments shall be effective as of their effective date unless otherwise stated in the adopting resolution.

14.2.2 Any subdivision or other project for which a valid and complete application for a Development Permit shall have been received prior to the adoption of an amendment to these Regulations may, at the developer's option, proceed to completion and building permits may be issued as though no amendment had been approved, provided that the Development Permit is or can be issued within ninety (90) calendar days of said amendment and all time frames associated with said permit are observed.

14.2.3 Any subdivision or other project for which a Development Permit has been issued prior to the adoption of an amendment to these Regulations may, at the developer's option, proceed to completion and building permits may be issued as though no amendment had been approved.

14.2.4 Any subdivision or other project for which only a Clearing, Clearing and Grubbing, or Grading Permit shall have been issued prior to adoption of an amendment to these Regulations shall be brought into conformance with the amendment (if applicable) prior to issuance of a Development Permit. Administrative modifications in accordance with Article 13 shall be granted as necessary and appropriate where full compliance is not feasible or cannot reasonably be achieved because of the stage of development, limitations imposed by the site, or design parameters.

14.2.5 No amendment to these Regulations shall be construed to affect the validity of any building permit lawfully issued prior to the adoption of said amendment.

14.3 SEVERABILITY

If any section, subsection, sentence, clause, or phrase of these Regulations is for any reason held to be unconstitutional or void, the validity of the remaining portions of these Regulations shall not be affected

thereby, it being the intent of the Board of Commissioners of the City of Buford in adopting these Regulations that no portion thereof or provision of the Regulations contained herein shall become inoperative or fail by reason of the unconstitutionality or invalidity of any section, subsection, sentence, clause, phrase, or provisions of these Regulations.

14.4 CONFLICTING REGULATIONS

All regulations or parts of regulations of the Code of Laws of the City of Buford, Georgia, in conflict with these Regulations shall be and the same are hereby repealed in their portions so in conflict. Provided, however, that it is not the intent of these Regulations to repeal or affect any Law of the State of Georgia, or any Code or Ordinance of the City of Buford adopted as a requirement of a State Law, in which case the most restrictive requirement shall control.

APPROVED AND ADOPTED THIS ____ DAY OF _____, 2000.

CITY OF BUFORD
A GEORGIA MUNICIPAL CORPORATION

BY: _____
Phillip Beard, Chairman

BY: _____
L. Chris Burge, Vice Chairman

BY: _____
Michael Smith, Commissioner

ATTESTED TO:

BY: _____
Judy Martin, City Clerk

APPROVED AS TO FORM:

BY: _____
Gregory Jay, City Attorney