

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA, TO AMEND ARTICLE IV OF CHAPTER 26 OF THE CODE OF ORDINANCES

BE IT ORDAINED by the Mayor and City Council of the City of Sandy Springs, Georgia that the City's Code of Ordinances Chapter 26, Article IV relating to Massage Establishments and Spas be amended by adding Sec. 26-137 as follows:

SECTION I: Article IV of Chapter 26 is amended by adding Sec. 26-137 as follows:

Sec. 26-137. - Remedies

(a) Any premises, building, dwelling, or other structure in which a massage establishment or spa establishment is operated or maintained in violation of this article is declared to be a public nuisance, harmful to the public health, safety, and welfare. The City's legal counsel shall be authorized to bring an action in the Superior Court of Fulton County to restrain, prohibit, and/or enjoin the use of such premises as a massage establishment or spa establishment in the Superior Court of Fulton County.

(b) The operation of a massage establishment or spa establishment by a person, partnership, limited liability company, corporation, or other legal entity in violation of this article is declared to be a public nuisance, harmful to the public health, safety, and welfare. The City's legal counsel shall be authorized to bring an action in the Superior Court of Fulton County to restrain, prohibit, and/or enjoin such operation of a massage establishment or spa establishment.

(c) It shall not be necessary, in order to obtain an injunction under this section, to allege or prove that there is no adequate remedy at law or to allege or prove any special injury.

(d) If the court declares a massage establishment or spa establishment to be a nuisance, or if the court issues an injunction against a massage establishment or spa establishment pursuant to this article, the City shall be entitled, on motion, to recover its reasonable attorneys' fees and costs incurred in bringing the action.

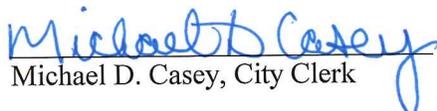
SECTION II: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

APPROVED AND ADOPTED the 1st day of March, 2016.

Approved:


Russell K. Paul, Mayor

Attest:


Michael D. Casey, City Clerk

(Seal)

