ARTICLE 14
ADOPTION AND AMENDMENT

14.1 EFFECTIVE DATE

14.1.1 These regulations shall be in full force and effect on January 13, 1992, following the adoption by the Mayor and City Council of the City of Duluth, 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 Duluth in place prior to the effective date of these Regulations, provided that the Development Permit is or can be issued within 90 calendar days of said effective date and 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 Duluth 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 AMENDMENTS

14.2.1 These Regulations may be amended from time-to-time by resolution of the Mayor and City Council of the City of Duluth. Such amendments shall be effective as of their date of adoption unless otherwise stated in the adopting resolution.

14.2.2 Any subdivision or other project for which a valid and complete application for a clearing, clearing and grubbing, grading or a Development Permit which was received prior to the effective date of an amendment to these Regulations shall be considered grandfathered and may, at the developer's option, proceed to completion and building permits may be issued as though no amendment had been approved. In addition, any property that has been rezoned since January 1, 2000, shall also be considered as "grandfathered" provided a clearing, clearing and grubbing, grading or a Development Permit is issued by December 31, 2001. This amendment shall become effective 60 days after adoption. (amended 8/27/01)

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 state 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 Mayor and City Council of the City of Duluth 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 Duluth, 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 Duluth adopted as a requirement of a State Law, in which case the most restrictive requirement shall control.