

House Bill 165

By: Representatives Bruce of the 61<sup>st</sup>, Fludd of the 64<sup>th</sup>, Jones of the 62<sup>nd</sup>, Mabra of the 63<sup>rd</sup>,  
Brooks of the 55<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To incorporate the City of South Fulton in Fulton County; to provide for a charter for the  
2 City of South Fulton; to provide for incorporation, boundaries, and powers of the city; to  
3 provide for general powers and limitations on powers; to provide for a governing authority  
4 of such city and the powers, duties, authority, election, terms, method of filling vacancies,  
5 compensation, expenses, qualifications, prohibitions, and districts relative to members of  
6 such governing authority; to provide for inquiries and investigations; to provide for  
7 organization and procedures; to provide for ordinances; to provide for the office of mayor  
8 and certain duties and powers relative to the office of mayor; to provide for administrative  
9 responsibilities; to provide for boards, commissions, and authorities; to provide for a chief  
10 administrative officer, a city attorney, a city clerk, a treasurer, a chief city auditor, and other  
11 personnel; to provide for a municipal court and the judge or judges thereof; to provide for  
12 practices and procedures; to provide for ethics and disclosures; to provide for taxation,  
13 licenses, and fees; to provide for franchises, service charges, and assessments; to provide for  
14 bonded and other indebtedness; to provide for accounting and budgeting; to provide for  
15 purchases; to provide for homestead exemptions; to provide for bonds for officials; to  
16 provide for other matters relative to the foregoing; to provide for referenda; to provide for  
17 an automatic repeal; to provide effective dates and transitional provisions governing the  
18 transfer of various functions and responsibilities from Fulton County to the City of South  
19 Fulton; to provide for severability; to repeal conflicting laws; and for other purposes.

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:



51 (b) The powers of the city shall be construed liberally in favor of the city. The specific  
52 mention or failure to mention particular powers shall not be construed as limiting in any way  
53 the powers of the city. These powers shall include, but not be limited to, the following:

54 (1) Animal regulations. To regulate and license or to prohibit the keeping or running at  
55 large of animals and fowl, and to provide for their impoundment if in violation of any  
56 ordinance or lawful order; to provide for the disposition by sale, gift, or humane  
57 destruction of animals and fowl when not redeemed as provided by ordinance; and to  
58 provide punishment for violation of ordinances enacted hereunder;

59 (2) Appropriations and expenditures. To make appropriations for the support of the  
60 government of the city; to authorize the expenditure of money for any purposes  
61 authorized by this Act and for any purpose for which a municipality is authorized by the  
62 laws of the State of Georgia; and to provide for the payment of expenses of the city;

63 (3) Building regulation. To regulate and to license the erection and construction of  
64 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas,  
65 and heating and air conditioning codes; and to regulate all housing and building trades  
66 to the extent permitted by general law;

67 (4) Business regulation and taxation. To levy and to provide for the collection of  
68 regulatory fees and taxes on privileges, occupations, trades, and professions as authorized  
69 by Title 48 of the O.C.G.A., or such other applicable laws as are or may hereafter be  
70 enacted; to permit and regulate such fees and taxes; to provide for the manner and method  
71 of payment of such regulatory fees and taxes; and to revoke such permits after due  
72 process for failure to pay any city taxes or fees;

73 (5) Condemnation. To condemn property, inside or outside the corporate limits of the  
74 city, for present or future use and for any corporate purpose deemed necessary by the city  
75 council, utilizing procedures enumerated in Title 22 of the O.C.G.A., or such other  
76 applicable laws as are or may hereafter be enacted;

77 (6) Contracts. To enter into contracts and agreements with other governmental entities  
78 and with private persons, firms, and corporations;

79 (7) Emergencies. To establish procedures for determining and proclaiming that an  
80 emergency situation exists within or outside the city, and to make and carry out all  
81 reasonable provisions deemed necessary to deal with or meet such an emergency for the  
82 protection, safety, health, or well-being of the citizens of the city;

83 (8) Environmental protection. To protect and preserve the natural resources,  
84 environment, and vital areas of the city, this region, and this state through the  
85 preservation and improvement of air quality, the restoration and maintenance of water  
86 resources, the control of erosion and sedimentation, the management of storm water and

87 establishment of a storm-water utility, the management of solid and hazardous waste, and  
88 other necessary actions for the protection of the environment;

89 (9) Ethics. To adopt ethics ordinances and regulations governing the conduct of  
90 municipal elected officials, appointed officials, and employees, establishing procedures  
91 for ethics complaints, and setting forth penalties for violations of such rules and  
92 procedures;

93 (10) Fire regulations. To fix and establish fire limits and from time to time to extend,  
94 enlarge, or restrict such limits; to prescribe fire safety regulations not inconsistent with  
95 general law, relating to both fire prevention and detection and to fire fighting; and to  
96 prescribe penalties and punishment for violations thereof;

97 (11) Garbage fees. To levy, fix, assess, and collect a garbage, refuse, and trash collection  
98 and disposal and other sanitary service charge, tax, or fee for such services as may be  
99 necessary in the operation of the city from all individuals, firms, and corporations  
100 residing in or doing business therein benefiting from such services; to enforce the  
101 payment of such charges, taxes, or fees; and to provide for the manner and method of  
102 collecting such service charges;

103 (12) General health, safety, and welfare. To define, regulate, and prohibit any act,  
104 practice, conduct, or use of property which is detrimental to the health, sanitation,  
105 cleanliness, welfare, and safety of the inhabitants of the city, and to provide for the  
106 enforcement of such standards;

107 (13) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for  
108 any purpose related to powers and duties of the city and the general welfare of its  
109 citizens, on such terms and conditions as the donor or grantor may impose;

110 (14) Health and sanitation. To prescribe standards of health and sanitation and to  
111 provide for the enforcement of such standards;

112 (15) Jail sentences. To provide that persons given jail sentences in the city's court may  
113 work out such sentences in any public works or on the streets, roads, drains, and other  
114 public property of the city; to provide for commitment of such persons to any jail; to  
115 provide for the use of pretrial diversion and any alternative sentencing allowed by law;  
116 or to provide for commitment of such persons to any county work camp or county jail by  
117 agreement with the appropriate county officials;

118 (16) Motor vehicles. To regulate the operation of motor vehicles and exercise control  
119 over all traffic, including parking upon or across the streets, roads, alleys, and walkways  
120 of the city;

121 (17) Municipal agencies and delegation of power. To create, alter, or abolish  
122 departments, boards, offices, commissions, and agencies of the city, and to confer upon

123 such agencies the necessary and appropriate authority for carrying out all the powers  
124 conferred upon or delegated to them;

125 (18) Municipal debts. To appropriate and borrow money for the payment of debts of the  
126 city and to issue bonds for the purpose of raising revenue to carry out any project,  
127 program, or venture authorized by this Act or the laws of the State of Georgia;

128 (19) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or  
129 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or  
130 outside the property limits of the city;

131 (20) Municipal property protection. To provide for the preservation and protection of  
132 property and equipment of the city and their administration and use by the public; and to  
133 prescribe penalties and punishment for violations thereof;

134 (21) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose  
135 of public utilities, including but not limited to a system of waterworks, sewers and drains,  
136 sewage disposal, storm-water management, gas works, electric light plants, cable  
137 television and other telecommunications, transportation facilities, public airports, and any  
138 other public utility; to fix taxes, charges, rates, fares, fees, assessments, regulations, and  
139 penalties; and to provide for the withdrawal of service for refusal or failure to pay them;

140 (22) Nuisance. To define a nuisance and provide for its abatement whether on public or  
141 private property;

142 (23) Penalties. To provide penalties for violation of any ordinances adopted pursuant to  
143 the authority of this Act and the laws of the State of Georgia;

144 (24) Planning and zoning. To provide comprehensive city planning for development by  
145 zoning; and to provide subdivision regulation and the like as the city council deems  
146 necessary and reasonable to ensure a safe, healthy, and esthetically pleasing community.  
147 In order to facilitate community input in the planning process, the city shall be authorized  
148 to create local advisory councils;

149 (25) Police and fire protection. To exercise the power of arrest through duly appointed  
150 police officers; and to establish, operate, or contract for a police and a fire-fighting  
151 agency;

152 (26) Public hazards: removal. To provide for the destruction and removal of any  
153 building or other structure which is or may become dangerous or detrimental to the  
154 public;

155 (27) Public improvements. To provide for the acquisition, construction, building,  
156 operation, and maintenance of public ways, parks and playgrounds, recreational facilities,  
157 cemeteries, public buildings, libraries, public housing, parking facilities, or charitable,  
158 cultural, educational, recreational, conservation, sport, detentional, penal, and medical  
159 institutions, agencies, and facilities; and to provide any other public improvements inside

160 or outside the corporate limits of the city and to regulate the use of public improvements;  
161 and for such purposes, property may be acquired by condemnation under Title 22 of the  
162 O.C.G.A., or such other applicable laws as are or may hereafter be enacted;

163 (28) Public peace. To provide for the prevention and punishment of loitering, disorderly  
164 conduct, drunkenness, riots, and public disturbances;

165 (29) Public transportation. To organize and operate such public transportation systems  
166 as are deemed beneficial;

167 (30) Public utilities and services. To grant franchises or make contracts for, or impose  
168 taxes on, public utilities and public service companies; and to prescribe the rates, fares,  
169 regulations, and standards and conditions of service applicable to the service to be  
170 provided by the franchise grantee or contractor, insofar as not in conflict with valid  
171 regulations of the Public Service Commission;

172 (31) Regulation of roadside areas. To prohibit or regulate and control the erection,  
173 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any  
174 and all other structures or obstructions upon or adjacent to the rights of way of streets and  
175 roads or within view thereof within or abutting the corporate limits of the city; and to  
176 prescribe penalties and punishment for violation of such ordinances;

177 (32) Retirement. To provide and maintain a retirement plan for officers and employees  
178 of the city;

179 (33) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade  
180 of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise  
181 improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and  
182 walkways within the corporate limits of the city; to grant franchises and rights of way  
183 throughout the streets and roads and over the bridges and viaducts for the use of public  
184 utilities; and to require real estate owners to repair and maintain in a safe condition the  
185 sidewalks adjoining their lots or lands and to impose penalties for failure to do so;

186 (34) Sewer fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring,  
187 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant  
188 and sewerage system, and to levy on those to whom sewers and sewerage systems are  
189 made available a sewer service fee, charge, or sewer tax for the availability or use of the  
190 sewers; to provide for the manner and method of collecting and for enforcing payment  
191 of such service charges; and to charge, impose, and collect a sewer connection fee or fees  
192 to those connected with the system;

193 (35) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish,  
194 and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by  
195 others; and to provide for the separate collection of glass, tin, aluminum, cardboard,  
196 paper, and other recyclable materials and to provide for the sale of such items;

197 (36) Special assessments. To levy and provide for the collection of special assessments  
198 to cover the costs for any public improvements;

199 (37) Taxes: ad valorem. To levy and provide for the assessment, valuation, revaluation,  
200 and collection of taxes on all property subject to taxation; provided, however, that, for all  
201 years, the millage rate imposed for ad valorem taxes on real property shall not  
202 exceed 13.469 unless a higher limit is recommended by resolution of the city council and  
203 approved by the qualified voters of the City of South Fulton; provided, further, that, for  
204 the purposes of compliance with Code Section 48-8-91 of the O.C.G.A., the millage rate  
205 may be adjusted upward for the sole purpose of complying with the millage rate rollback  
206 provisions set forth therein. For the purposes of this paragraph, the term "qualified  
207 voters" means those voters of the city who are qualified to vote in city elections and cast  
208 a vote for or against such measure in such referendum. The question to be presented to  
209 the voters in the referendum on increasing the millage rate shall be "Do you approve  
210 increasing taxes on residential and nonresidential property for City of South Fulton  
211 property owners by raising from [current millage rate] to [proposed millage rate] the  
212 operating budget millage rate?" If such millage rate increase is approved by the qualified  
213 voters of the City of South Fulton voting in the referendum, the new rate shall become  
214 the maximum limit until changed again by resolution of the city council and approval by  
215 a majority of the qualified voters of the City of South Fulton voting in a referendum.  
216 Notwithstanding any provision of this paragraph to the contrary, during the first five  
217 years of existence, the city shall not be authorized to increase the millage rate higher than  
218 14.469 except for the purposes of complying with Code Section 48-8-91 of the O.C.G.A.;

219 (38) Taxes: other. To levy and collect such other taxes as may be allowed now or in the  
220 future by law;

221 (39) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the  
222 number of such vehicles; to require the operators thereof to be licensed; to require public  
223 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to  
224 regulate the parking of such vehicles;

225 (40) Urban redevelopment. To organize and operate an urban redevelopment program;  
226 and

227 (41) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,  
228 and immunities necessary or desirable to promote or protect the safety, health, peace,  
229 security, good order, comfort, convenience, or general welfare of the city and its  
230 inhabitants; to exercise all implied powers necessary or desirable to carry into execution  
231 all powers granted in this Act as fully and completely as if such powers were fully stated  
232 herein; and to exercise all powers now or in the future authorized to be exercised by other  
233 municipal governments under other laws of the State of Georgia; and any listing of

234 particular powers in this Act shall not be held to be exclusive of others or restrictive of  
 235 general words and phrases granting powers, but shall be held to be in addition to such  
 236 powers unless expressly prohibited to municipalities under the Constitution or applicable  
 237 laws of the State of Georgia.

238 **SECTION 1.04.**

239 Exercise of powers.

240 All powers, functions, rights, privileges, and immunities of the city and its officers, agencies,  
 241 or employees shall be carried into execution as provided by this Act. If this Act makes no  
 242 provision, such shall be carried into execution as provided by ordinance or as provided by  
 243 pertinent laws of the State of Georgia.

244 **ARTICLE II**

245 **GOVERNMENT STRUCTURE, ELECTIONS,**  
 246 **AND LEGISLATIVE BRANCH**

247 **SECTION 2.01.**

248 City council creation; number; election.

249 (a) The legislative authority of the government of the City of South Fulton, except as  
 250 otherwise specifically provided in this Act, shall be vested in a city council to be composed  
 251 of a president of city council and seven district councilmembers.

252 (b) The mayor and president of city council shall be elected by a majority vote of the  
 253 qualified electors of the city at large voting at the elections of the city.

254 (c) Each councilmember shall be elected by a majority vote of the qualified electors of his  
 255 or her respective council district voting at the elections of the city. For the purpose of  
 256 electing the seven councilmembers, there shall be seven council districts, designated Council  
 257 Districts 1 through 7, as described in Appendix B of this Act and the accompanying  
 258 Redistricting Plan Components Report, which are attached to and made a part of this charter;  
 259 provided, however, that no territory described in such council districts shall be included in  
 260 such council districts that has been annexed into other municipalities not less than 90 days  
 261 prior to the Tuesday next following the first Monday in November, 2015; and provided,  
 262 further, that the territory known as the Fulton County Industrial District shall not be included  
 263 in such council districts unless the local constitutional amendment creating such district is  
 264 repealed prior to the first municipal election being conducted under this charter. Each person  
 265 desiring to offer as a candidate for councilmember shall designate the council district for  
 266 which he or she is offering.

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**SECTION 2.02.**

268

Mayor, president of city council, and city

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councilmembers; election, terms, and qualifications for office.

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(a) Except as otherwise provided in subsection (c) of this section, the mayor, president of

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city council, and seven members of the city council shall serve for terms of four years and

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until their respective successors are elected and qualified. No person shall be eligible to

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serve as mayor, president of city council, or councilmember unless that person shall have

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been a resident of the area comprising the corporate limits of the City of South Fulton for a

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continuous period of at least 12 months immediately prior to the date of the election for

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mayor, president of city council, or councilmember; shall continue to reside therein during

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that person's period of service; and shall continue to be registered and qualified to vote in

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municipal elections of the City of South Fulton. In addition to the above requirements, no

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person shall be eligible to serve as a councilmember representing a council district unless that

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person has been a resident of the district such person seeks to represent for a continuous

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period of at least 12 months immediately prior to the date of the election for councilmember

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and continues to reside in such district during that person's period of service.

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(b) The first general municipal elections shall be held in conjunction with the 2016

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presidential preference primary. Thereafter, general municipal elections shall be held on the

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Tuesday next following the first Monday in November in each odd-numbered year following

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the year in which such first municipal election is held.

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(c) The first mayor, president of city council, and initial councilmembers shall take office

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on the first day of the second month following the month in which the first municipal

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election provided for in subsection (b) of this section is conducted. The mayor, president of

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city council, and councilmembers serving Council Districts 2, 4, and 6 shall serve initial

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terms of office ending on December 31, 2019, and until their respective successors are

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elected and qualified. The councilmembers serving Council Districts 1, 3, 5, and 7 shall

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serve initial terms of office ending on December 31, 2017, and until their respective

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successors are elected and qualified. Their successors shall be elected at the municipal

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election immediately preceding the expiration of their terms and shall take office on

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January 1 for terms of four years. No person shall serve as mayor for more than two

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consecutive terms, but a former mayor may again serve as mayor after the expiration of four

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years after leaving office.

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**SECTION 2.03.**

300

President of the city council; appointment; duties.

301 (a) The president of the city council shall be elected by a majority of qualified electors of  
302 the city.

303 (b) The president of the city council shall:

304 (1) Preside at all meetings of the city council;

305 (2) Vote on any motion, resolution, ordinance, or other question before the council only  
306 as provided in Section 2.11 of this Act and vote on any matter before a committee on  
307 which he or she serves;

308 (3) Appoint councilmembers to oversee and report on the functions of the various  
309 departments of the city;

310 (4) Prepare or have prepared an agenda for each meeting of the city council which shall  
311 include all business submitted by the mayor, any councilmember, and the city attorney;  
312 and

313 (5) Appoint the city clerk, subject to council approval.

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**SECTION 2.04.**

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Vacancy; filling of vacancies; suspensions.

316 The office of mayor, president of city council, or councilmember shall become vacant upon  
317 the incumbent's death, resignation, forfeiture of office, or removal from office in any manner  
318 authorized by this Act or the general laws of the State of Georgia. A vacancy in the office  
319 of mayor, president of city council, or councilmember shall be filled for the remainder of the  
320 unexpired term by a special election if such vacancy occurs 12 months or more prior to the  
321 expiration of the term of that office. If such vacancy occurs within 12 months of the  
322 expiration of the term of that office, the city council or those members remaining shall  
323 appoint a successor for the remainder of the term. If a vacancy occurs within 12 months of  
324 the expiration of the term for mayor, the president of city council shall fill the vacancy for  
325 the remainder of the term. If a vacancy occurs within 12 months of the expiration of the term  
326 for president of city council, those remaining on the city council shall appoint a successor for  
327 the remainder of the term. This provision shall also apply to a temporary vacancy created  
328 by the suspension from office of the mayor, president of city council, or any councilmember.

329 **SECTION 2.05.**

330 Nonpartisan elections.

331 Political parties shall not conduct primaries for city offices and all names of candidates for  
332 city offices shall be listed without party designation.

333 **SECTION 2.06.**

334 Election by majority vote.

335 The candidates for mayor, president of city council, and councilmember who receive a  
336 majority of the votes cast in the applicable election shall be elected to a term of office. In the  
337 event no candidate receives a majority of the votes cast in such election, a run-off election  
338 shall be held between the candidates receiving the two highest number of votes. Such runoff  
339 shall be held at the time specified by state election law, unless such run-off date is postponed  
340 by court order.

341 **SECTION 2.07.**

342 Applicability of general laws; qualifying; other provisions.

343 All primaries and elections shall be held and conducted in accordance with Chapter 2 of  
344 Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended. Except  
345 as otherwise provided by this Act, the city council shall, by ordinance or resolution, prescribe  
346 such rules and regulations as it deems appropriate, including, but not limited to, the  
347 establishment of qualifying fees, to fulfill any options and duties under Chapter 2 of Title 21  
348 of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

349 **SECTION 2.08.**

350 Compensation and expenses.

351 The annual salary of the mayor shall be \$70,000.00. The annual salary for each  
352 councilmember shall be \$17,500.00. The annual salary for the president of the city council  
353 shall be \$28,500.00. Such salaries shall be paid from municipal funds in equal monthly  
354 installments. The city council may provide by ordinance for the provision of insurance,  
355 retirement, workers' compensation, and other employee benefits to the mayor, president of  
356 city council, and members of the city council and may provide by ordinance for the  
357 reimbursement of expenses actually and necessarily incurred by the mayor, president of city  
358 council, and members of the city council in carrying out their official duties. The city

359 council may alter the salaries of the mayor, president of the city council, and members of the  
 360 city council from time to time in accordance with Code Section 36-35-4 of the O.C.G.A.

361 **SECTION 2.09.**

362 Inquiries and investigations.

363 The city council may make inquiries and investigations into the affairs of the city and  
 364 conduct of any department, office, or agency thereof and for this purpose may subpoena  
 365 witnesses, administer oaths, take testimony, and require the production of evidence. Any  
 366 person who fails or refuses to obey a lawful order issued in the exercise of these powers by  
 367 the city council shall be punished as may be provided by ordinance.

368 **SECTION 2.10.**

369 Meetings and oath of office.

370 (a) The city council shall meet on the first working day of the second month following the  
 371 month in which the first municipal election is held under this charter, and thereafter the city  
 372 council shall meet on the first working day in January immediately following each regular  
 373 municipal election. The meeting shall be called to order by the president-elect, and the oath  
 374 of office shall be administered to the newly elected mayor, treasurer, chief city auditor, and  
 375 councilmembers by a judicial officer authorized to administer oaths. The oath shall, to the  
 376 extent that it comports with federal and state law, be as follows:

377 "I do solemnly swear or affirm that I will faithfully execute the office of [councilmember,  
 378 mayor, or president of city council, as the case may be] of the City of South Fulton, and  
 379 will to the best of my ability support and defend the Constitution of the United States, the  
 380 Constitution of Georgia, and the Act, ordinances, and regulations of the City of South  
 381 Fulton. I am not the holder of any unaccounted for public money due this state or any  
 382 political subdivision or authority thereof. I am not the holder of any office of trust under  
 383 the government of the United States, any other state, or any foreign state which I by the  
 384 laws of the State of Georgia am prohibited from holding. I am otherwise qualified to  
 385 hold this office according to the Constitution and laws of Georgia. I have been a resident  
 386 of my district and the City of South Fulton for the time required by the Constitution and  
 387 laws of this state and by the municipal charter. I will perform the duties of my office in  
 388 the best interest of the City of South Fulton to the best of my ability without fear, favor,  
 389 affection, reward, or expectation thereof."

390 (b) The city council shall, at least once a month, hold regular meetings at such times and  
 391 places as prescribed by ordinance. The city council may recess any regular meeting and

392 continue such meeting on any weekday or hour it may fix and may transact any business at  
393 such continued meeting as may be transacted at any regular meeting.

394 (c) Special meetings of the council may be held on the call of the mayor, president of city  
395 council, or four members of the council. Notice of such special meetings shall be delivered  
396 to all members of the city council, president of city council, and mayor personally, by  
397 registered mail, or by electronic means, at least 24 hours in advance of the meeting. Such  
398 notice to councilmembers shall not be required if the mayor, president of city council, and  
399 all councilmembers are present when the special meeting is called. Such notice of any  
400 special meeting may be waived by the mayor, president of city council, or a councilmember  
401 in writing before or after such a meeting, and attendance at the meeting shall also constitute  
402 a waiver of notice. The notice of such special meeting shall state what business is to be  
403 transacted at the special meeting. Only the business stated in the call may be transacted at  
404 the special meeting.

405 **SECTION 2.11.**

406 Quorum; voting.

407 Four councilmembers shall constitute a quorum and shall be authorized to transact business  
408 for the city council. Voting on the adoption of ordinances shall be taken by voice vote and  
409 the yeas and nays shall be recorded in the minutes, but, on the request of any councilmember,  
410 there shall be a roll-call vote. In order for any ordinance, resolution, motion, or other action  
411 of the city council to be adopted, the measure shall receive at least four affirmative votes and  
412 shall receive the affirmative votes of a majority of those voting. No member of the city  
413 council shall abstain from voting on any matter properly brought before the council for  
414 official action except when such councilmember has a conflict of interest which is disclosed  
415 in writing prior to or at the meeting and made a part of the minutes. Any member of the city  
416 council present and eligible to vote on a matter and refusing to do so for any reason other  
417 than a properly disclosed and recorded conflict of interest shall be deemed to have  
418 acquiesced or concurred with the members of the majority who did vote on the question  
419 involved. The president of city council shall vote only in the case of a tie or in the case  
420 where his or her vote will provide the affirmative vote required for approval of a matter.

421

**SECTION 2.12.**

422

General power and authority of the city council.

423 (a) Except as otherwise provided by law or by this Act, the city council shall be vested with  
424 all the powers of government of the City of South Fulton as provided by Article I of this Act.

425 (b) In addition to all other powers conferred upon it by law, the city council shall have the  
426 authority to adopt and provide for the execution of such ordinances, resolutions, rules, and  
427 regulations, not inconsistent with this Act and the Constitution and the laws of the State of  
428 Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order,  
429 protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity,  
430 or well-being of the inhabitants of the City of South Fulton and may enforce such ordinances  
431 by imposing penalties for violation thereof.

432 (c) The city council may, by ordinance or resolution, adopt rules and bylaws to govern the  
433 conduct of its business, including procedures and penalties for compelling the attendance of  
434 absent members. Such rules may include punishment for contemptuous behavior conducted  
435 in the presence of the city council.

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**SECTION 2.13.**

437

Administrative and service departments.

438 (a) The city council, by ordinance, may establish, abolish, merge, or consolidate offices,  
439 positions of employment, departments, and agencies of the city as it shall deem necessary for  
440 the proper administration of the affairs and government of the city. The city council shall  
441 prescribe the functions and duties of existing departments, offices, and agencies or of any  
442 departments, offices, and agencies hereinafter created or established; may provide that the  
443 same person shall fill any number of offices and positions of employment; and may transfer  
444 or change the functions and duties of offices, positions of employment, departments, and  
445 agencies of the city.

446 (b) The operations and responsibilities of each department now or hereafter established in  
447 the city shall be distributed among such divisions or bureaus as may be provided by  
448 ordinance of the city council. Each department shall consist of such officers, employees, and  
449 positions as may be provided by this Act or by ordinance and shall be subject to the general  
450 supervision and guidance of the mayor and council.

451

**SECTION 2.14.**

452

Boards, commissions, and authorities.

453 (a) All members of boards, commissions, and authorities of the city shall be nominated by  
 454 the mayor and shall be confirmed by the city council for such terms of office and such  
 455 manner of appointment as provided by ordinance, except where other appointing authority,  
 456 term of office, or manner of appointment is prescribed by this Act or by applicable state law.

457 (b) No member of any board, commission, or authority of the city shall hold any elective  
 458 office in the city. The president of city council, councilmembers, and mayor, however, may  
 459 serve as voting ex officio members of such boards, commissions, or authorities.

460 (c) Any vacancy in office of any member of a board, commission, or authority of the city  
 461 shall be filled for the unexpired term in the manner prescribed for original appointment,  
 462 except as otherwise provided by this Act or any applicable state law.

463 (d) No member of any board, commission, or authority shall assume office until he or she  
 464 shall have executed and filed with the designated officer of the city an oath obligating  
 465 himself or herself to faithfully and impartially perform the duties of his or her office, such  
 466 oath to be prescribed by ordinance of the council and administered by the mayor.

467 (e) Any member of a board, commission, or authority may be removed from office for cause  
 468 by a vote of a majority of the members of the council.

469 (f) Members of boards, commissions, and authorities may receive such compensation and  
 470 expenses in the performance of their official duties as prescribed by ordinance.

471 (g) Except as otherwise provided by this Act or by applicable state law, each board,  
 472 commission, or authority of the city government shall elect one of its members as  
 473 chairperson and one member as vice chairperson for terms of one year and may elect as its  
 474 secretary one of its own members or may appoint as secretary an employee of the city. Each  
 475 board, commission, or authority of the city government may establish such bylaws, rules, and  
 476 regulations not inconsistent with this Act, ordinances of the city, or applicable state law as  
 477 it deems appropriate and necessary for the conduct of its affairs, copies of which shall be  
 478 filed with the designated officer of the city.

479

**SECTION 2.15.**

480

Ordinance form; procedures.

481 Every proposed ordinance and resolution shall be introduced in writing, and the city council  
 482 shall have the authority to approve, disapprove, or amend them. A resolution may be passed  
 483 at the time it is offered, but an ordinance shall not be adopted until the title of such ordinance  
 484 shall have been read at two city council meetings, provided that the beginnings of such

485 meetings shall be not less than 24 hours nor more than 60 days apart. This requirement of  
 486 two readings shall not apply to emergency ordinances or to ordinances adopted at the first  
 487 business meeting of the city council in a calendar year.

488 **SECTION 2.16.**

489 Submission of ordinances to the mayor.

490 (a) Every ordinance, resolution, and other action adopted by the council shall be presented  
 491 promptly to the mayor. Except for council approval of appointments to committees, boards,  
 492 and commissions, the employment of any appointed officer, internal affairs, or matters which  
 493 must be approved by the voters, the mayor may veto any action adopted by the city council.

494 (b) The veto must be exercised no later than the next regular city council meeting following  
 495 the meeting at which the action was taken. If an action is disapproved, the president of the  
 496 city council shall submit to the council a written statement of the reasons for the mayor's  
 497 veto.

498 (c) An action vetoed by the mayor shall automatically be placed on the agenda at the next  
 499 regular meeting of the city council for reconsideration. If the minimum number of  
 500 councilmembers necessary to vote on overriding the veto is not present, the action may be  
 501 continued until the next meeting at which the minimum number of councilmembers is  
 502 present. Such action shall not become effective unless it is readopted by the affirmative  
 503 votes of at least five members of the city council within 60 days of the veto.

504 (d) The mayor may disapprove or reduce any item or items of appropriation in any ordinance  
 505 or resolution. The approved part or parts of any ordinance or resolution making  
 506 appropriations shall become law, and the part or parts disapproved or reduced shall not  
 507 become law unless subsequently passed by the city council over the mayor's veto as provided  
 508 in this Act.

509 (e) If an ordinance or resolution has been signed by the mayor, it shall become effective. If  
 510 an ordinance or resolution is neither approved nor disapproved by the next regular meeting  
 511 of the city council, it shall become effective.

512 **ARTICLE III**

513 **EXECUTIVE BRANCH**

514 **SECTION 3.01.**

515 Executive powers and duties of the mayor.

516 (a) The mayor shall be the chief executive officer of the city government and shall be  
 517 responsible for the efficient and orderly administration of the city's affairs. The mayor shall

518 be responsible for the enforcement of laws, rules, regulations, ordinances, and franchises in  
519 the city. The mayor may conduct inquiries and investigations into the conduct of the city's  
520 affairs and shall have such powers and duties as specified in this Act or as may be provided  
521 by ordinance consistent with this Act.

522 (b) The mayor shall:

523 (1) Be the head of the city for the purpose of service of process and for ceremonial  
524 purposes and be the official spokesperson for the city and the advocate of policy;

525 (2) Sign as a matter of course on behalf of the city all written and approved contracts,  
526 ordinances, resolutions, and other instruments executed by the city which by law are  
527 required to be in writing;

528 (3) See that all laws and ordinances of the city are faithfully executed;

529 (4) Obtain long-term and short-term loans in the name of the city when authorized by the  
530 city council to do so;

531 (5) Name qualified residents of the city to boards and commissions with approval of the  
532 city council;

533 (6) Appoint and employ all necessary employees of the city, provided that excepted from  
534 this power of appointment are those officers and employees who by this Act are  
535 appointed or elected by the city council; and provided, further, that the mayor shall  
536 appoint and employ all department heads subject to the approval of the city council;

537 (7) Remove employees employed by such officer without the consent of the city council;  
538 provided, however, that department heads may be removed only with the consent of the  
539 city council;

540 (8) Exercise supervision and control of all departments and all divisions created in this  
541 Act or that may hereafter be created by the city council except as otherwise provided in  
542 this Act;

543 (9) Recommend to the city council the adoption of such measures as the mayor may  
544 deem necessary or expedient;

545 (10) See that all terms and conditions imposed in favor of the city or its inhabitants in  
546 any public utility franchise are faithfully kept and performed and upon knowledge of any  
547 violation thereof to call such violations to the attention of the city attorney, whose duty  
548 it shall be forthwith to take such steps as are necessary to protect and enforce the same;

549 (11) Make and execute all lawful contracts on behalf of the city as to matters within such  
550 officer's jurisdiction to the extent that such contracts are funded in the city's budget,  
551 except such as may be otherwise provided by law; provided, however, that no contract  
552 purchase or obligation requiring a budget amendment shall be valid and binding until  
553 after approval of the city council;

554 (12) Prepare and submit to the city council, prior to the beginning of each fiscal year, a  
 555 budget of proposed expenditures for the ensuing year, showing in as much detail as  
 556 practicable the amounts allotted to each department of the city government and the  
 557 reasons for such estimated expenditures;

558 (13) Keep the city council at all times fully advised as to the financial condition and  
 559 needs of the city;

560 (14) Make a full written report to the city council on the first of each month, unless  
 561 otherwise directed by the city council, showing the operations and expenditures of each  
 562 department of the city government for the preceding month, and a synopsis of such  
 563 reports shall be published by the clerk of the city;

564 (15) Fix all salaries and compensation of city employees in accordance with the city  
 565 budget and the city pay and classification plan; and

566 (16) Fulfill and perform such other duties as are imposed by this Act and by duly  
 567 adopted ordinances.

568 **SECTION 3.02.**

569 Chief administrative officer; appointment, qualification,  
 570 and compensation.

571 The mayor may appoint, subject to confirmation by the city council, for an indefinite term  
 572 an officer whose title shall be chief administrative officer, and the chief administrative officer  
 573 shall serve at the pleasure of the mayor and the city council. The chief administrative officer,  
 574 if appointed, shall be appointed without regard to political beliefs and solely on the basis of  
 575 his or her executive and administrative qualifications with special reference to his or her  
 576 educational background and actual experience in, and knowledge of, the duties of office as  
 577 hereinafter prescribed.

578 **SECTION 3.03.**

579 Chief administrative officer.

580 The chief administrative officer shall devote all of his or her working time and attention to  
 581 the affairs of the city and shall be responsible to the mayor and city council for the proper  
 582 and efficient administration of the affairs of the city over which such officer has jurisdiction;  
 583 provided, however, that the city council may by resolution permit the office of chief  
 584 administrative officer to be a part-time position. The chief administrative officer may  
 585 recommend to the mayor or city council individuals for appointment or removal as  
 586 department heads.

587

**SECTION 3.04.**

588

Chief administrative officer; removal.

589 (a) The mayor and city council may remove the chief administrative officer from office in  
590 accordance with the following procedures:

591 (1) The city council shall adopt by affirmative vote of a majority of all its members a  
592 preliminary resolution removing the chief administrative officer and may suspend the  
593 chief administrative officer from duty for a period not to exceed 45 days. A copy of the  
594 resolution shall be delivered promptly to the chief administrative officer;

595 (2) Within five days after a copy of the resolution is delivered to the chief administrative  
596 officer, he or she may file with the city council a written request for a public hearing.  
597 This hearing shall be held at a city council meeting not earlier than 15 days nor later than  
598 30 days after the request; and

599 (3) The city council may adopt a final resolution of removal, which may be made  
600 effective immediately, by affirmative vote of four of its members at any time after five  
601 days from the date when a copy of the preliminary resolution was delivered to the chief  
602 administrative officer, if he or she has not requested a public hearing, or at any time after  
603 the public hearing if he or she has requested one.

604 (b) The chief administrative officer shall continue to receive his or her salary until the  
605 effective date of a final resolution of removal, and unless he or she has been convicted of a  
606 felony at that time, he or she shall be given not less than 60 days' severance pay. The action  
607 of the city council in suspending or removing the chief administrative officer shall not be  
608 subject to review by any court or agency.

609 (c) If the chief administrative officer becomes disabled and is unable to carry out the duties  
610 of the office or if the chief administrative officer dies, then an acting chief administrative  
611 officer shall be appointed to perform the duties of the chief administrative officer until the  
612 chief administrative officer's disability is removed or until the chief administrative officer  
613 is replaced. Removal of the chief administrative officer because of disability shall be carried  
614 out in accordance with the provisions of subsection (a) of this section.

615

**SECTION 3.05.**

616

Council interference with administration.

617 Except for the purpose of inquiries and investigations under Section 2.09 of this Act, the city  
618 council or its members shall deal with city officers and employees who are subject to the  
619 direction or supervision of the mayor or chief administrative officer solely through the

620 department heads, and neither the city council nor its members shall give orders to any such  
621 officer or employee, either publicly or privately.

622 **SECTION 3.06.**

623 City attorney.

624 The mayor shall nominate and the city council shall confirm by majority vote of the city  
625 council a city attorney, together with such assistant city attorneys as may be deemed  
626 appropriate, and shall provide for the payment of such attorney or attorneys for services  
627 rendered to the city. The city attorney shall be responsible for representing and defending  
628 the city in all litigation in which the city is a party; may be the prosecuting officer in the  
629 municipal court; shall attend the meetings of the city council as directed; shall advise the city  
630 council, mayor, other officers, and employees of the city concerning legal aspects of the  
631 city's affairs; and shall perform such other duties as may be required by virtue of his or her  
632 position as city attorney. The city attorney shall review all contracts of the city but shall not  
633 have the power to bind the city.

634 **SECTION 3.07.**

635 City clerk.

636 The president of the city council shall appoint a city clerk, subject to confirmation by  
637 majority vote of the city council, to keep a journal of the proceedings of the city council; to  
638 maintain in a safe place all records and documents pertaining to the affairs of the city; to  
639 perform such duties as may be required by law or ordinance or as the president of the city  
640 council may direct; and to issue licenses as permitted by laws of the State of Georgia and  
641 municipal law.

642 **SECTION 3.08.**

643 City treasurer.

644 (a) The mayor may appoint a city treasurer subject to the approval of the city council. The  
645 city treasurer shall collect all taxes, licenses, fees, and other moneys belonging to the city  
646 subject to the provisions of this Act and the ordinances of the city; and the tax collector shall  
647 diligently comply with and enforce all general laws of the State of Georgia relating to the  
648 collection, sale, or foreclosure of taxes by municipalities.

649 (b) The city treasurer shall be responsible for the collection, receipt, care, and custody of all  
650 taxes and other moneys due the city, except as otherwise provided by law. The city treasurer

651 shall be responsible to deposit all moneys received in the manner set forth in state law. The  
652 city treasurer shall be responsible, upon authorization by warrant of the chief city auditor, as  
653 the case may be, for payment of all vouchers, claims, payroll, and other authorized  
654 disbursements. The city treasurer shall perform such other services as authorized by state  
655 law, and as otherwise conferred by a resolution, ordinance, or local law duly enacted by the  
656 city council, not inconsistent with state law.

657 (c) The city treasurer shall be responsible for making all temporary investments of city funds  
658 as authorized by law. Investments of more than \$100,000.00 shall require approval of the  
659 city council.

660 (d) The city treasurer shall be the city's chief fiscal officer and shall have such investment  
661 and debt management authority as is authorized by state law and as is otherwise conferred  
662 by resolution, ordinance, or local law duly enacted by the city council, not inconsistent with  
663 state law.

### 664 **SECTION 3.09.**

#### 665 Office of Audit and Control.

666 (a) There shall be an Office of Audit and Control to be headed by a chief city auditor, who  
667 shall be appointed by the mayor subject to the approval of the city council. The principal  
668 duties of this office shall be to conduct internal performance audits of all city departments  
669 and offices; to audit all investments made by the city treasurer on behalf of the city; and to  
670 warrant as valid all accounts payable and claims prior to their payment by the city treasurer.

671 (b) The chief city auditor shall prepare and present such reports as are consistent with the  
672 duties enumerated in this section as required by resolution, ordinance, or local law duly  
673 enacted by the city council.

### 674 **SECTION 3.10.**

#### 675 Office of Planning, Development, and Implementation.

676 (a) There shall be an Office of Planning, Development, and Implementation to be headed  
677 by a chief city planner, who shall be appointed by the mayor subject to the approval of the  
678 city council. The principal duties of this office shall be to plan, develop, and implement an  
679 overall plan for the city to achieve a safe, healthy, and esthetically pleasing city environment.

680 (b) The chief city planner shall prepare and present such reports as are consistent with the  
681 duties enumerated in this section as required by resolution, ordinance, or local law duly  
682 enacted by the city council.

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**SECTION 3.11.**

684

Consolidation of functions.

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The mayor, with the approval of the city council, may consolidate any two or more of the appointed positions of city departments other than the Office of Audit and Control and the city treasurer or may assign the functions of any one or more of such positions to the holder or holders of any other positions. The mayor may also, with the approval of the city council, perform all or any part of the functions of any of the positions or offices in lieu of the appointment of other persons to perform them.

691

**SECTION 3.12.**

692

Position classification and pay plans.

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The mayor shall be responsible for the preparation of a position classification and a pay plan which shall be submitted to the city council for approval. Such plan shall apply to all employees of the City of South Fulton and any of its agencies and offices. When a pay plan has been adopted by the city council, neither the city council nor the mayor shall increase or decrease the salaries of individual employees except in conformity with such pay plan or pursuant to an amendment of such pay plan duly adopted by the city council.

699

**ARTICLE IV**

700

**MUNICIPAL COURT**

701

**SECTION 4.01.**

702

Creation.

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There is established a court to be known as the Municipal Court of the City of South Fulton which shall have jurisdiction and authority to try offenses against the laws and ordinances of such city and to punish for violations of such laws and ordinances. Such court shall have the power to enforce its judgments by the imposition of such penalties as may be provided by law, including ordinances of the city; to punish witnesses for nonattendance and to punish also any person who may counsel or advise, aid, encourage, or persuade another whose testimony is desired or material in any proceeding before such court to go or move beyond the reach of the process of the court; and to try all offenses within the territorial limits of the city constituting traffic cases which, under the laws of the State of Georgia, are placed within the jurisdiction of municipal courts to the extent of, and in accordance with, the provisions of such laws and all laws subsequently enacted amendatory thereof. The municipal court shall be presided over by the judge of such court. In the absence or disqualification of the

715 judge, the judge pro tempore shall preside and shall exercise the same powers and duties as  
716 the judge when so acting.

717 **SECTION 4.02.**

718 Judge.

719 (a) No person shall be qualified or eligible to serve as judge unless he or she shall have  
720 attained the age of 21 years and shall have been a member of the State Bar of Georgia for a  
721 minimum of three years. The judge shall be appointed by resolution of the city council. The  
722 compensation of the judge shall be fixed by the city council.

723 (b) The judge pro tempore shall serve as requested by the judge, shall have the same  
724 qualifications as the judge, shall be appointed by resolution of the city council, and shall take  
725 the same oath as the judge.

726 (c) Before entering on the duties of his or her office, the judge and judge pro tempore shall  
727 take an oath before an officer duly authorized to administer oaths in this state declaring that  
728 he or she will truly, honestly, and faithfully discharge the duties of his or her office to the  
729 best of his or her ability without fear, favor, or partiality. The oath shall be entered upon the  
730 minutes of the city council.

731 (d) The judge or judge pro tempore shall serve for a term of four years but may be removed  
732 from the position by a two-thirds' vote of the entire membership of the city council or upon  
733 action taken by the State Judicial Qualifications Commission for:

734 (1) Willful misconduct in office;

735 (2) Willful and persistent failure to perform duties;

736 (3) Habitual intemperance;

737 (4) Conduct prejudicial to the administration of justice which brings the judicial office  
738 into disrepute; or

739 (5) Disability seriously interfering with the performance of duties, which is, or is likely  
740 to become, of a permanent character.

741 **SECTION 4.03.**

742 Convening.

743 Such court shall be convened at such times as designated by ordinance or at such times as  
744 deemed necessary by the judge to keep current the dockets thereof.

745

**SECTION 4.04.**

746

Jurisdiction; powers.

747 (a) The municipal court shall try and punish for crimes against the City of South Fulton and  
748 for violation of its ordinances. The municipal court shall have authority to punish those in  
749 its presence for contempt, provided that such punishment shall not exceed \$200.00 or  
750 imprisonment for 15 days. The municipal court may fix punishment for offenses within its  
751 jurisdiction to the full extent allowed by state law.

752 (b) The municipal court shall have authority to establish a schedule of fees to defray the cost  
753 of operation.

754 (c) The municipal court shall have authority to establish bail and recognizances to ensure  
755 the presence of those charged with violations before such court and shall have discretionary  
756 authority to accept cash or personal or real property as security for appearances of persons  
757 charged with violations. Whenever any person shall give bail for his or her appearance and  
758 shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge  
759 presiding at such time and an execution issued thereon by serving the defendant and his or  
760 her sureties with a rule nisi at least two days before a hearing on the rule nisi. In the event  
761 that cash or property is accepted in lieu of bond for security for the appearance of a defendant  
762 at trial, and if such defendant fails to appear at the time and place fixed for trial, the cash so  
763 deposited shall be on order of the judge declared forfeited to the City of South Fulton, or the  
764 property so deposited shall have a lien against it for the value forfeited.

765 (d) The municipal court shall have the authority to bind prisoners over to the appropriate  
766 court when it appears, by probable cause, that a state law has been violated.

767 (e) The municipal court shall have the authority to administer oaths and to perform all other  
768 acts necessary or proper to the conduct of such court.

769 (f) The municipal court may compel the presence of all parties necessary to a proper disposal  
770 of each case by the issuance of summons, subpoena, and warrants which may be served as  
771 executed by any officer as authorized by this Act or by state law.

772 (g) The municipal court is specifically vested with all of the judicial jurisdiction and judicial  
773 powers throughout the entire area of the City of South Fulton granted by state laws generally  
774 to municipal courts, and particularly by such laws as authorize the abatement of nuisances.

775 **SECTION 4.05.**

776 Certiorari.

777 The right of certiorari from the decision and judgment of the municipal court shall exist in  
778 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under  
779 the sanction of a judge of the Superior Court of Fulton County under the laws of the State of  
780 Georgia regulating the granting and issuance of writs of certiorari.

781 **SECTION 4.06.**

782 Rules for court.

783 With the approval of the city council, the judge shall have full power and authority to make  
784 reasonable rules and regulations necessary and proper to secure the efficient and successful  
785 administration of the municipal court.

786 **ARTICLE V**

787 **FINANCE AND FISCAL**

788 **SECTION 5.01.**

789 Fiscal year.

790 The council shall set the fiscal year by ordinance. The fiscal year shall constitute the budget  
791 year and the year for financial accounting and reporting of each and every office, department  
792 or institution, agency, and activity of the city government, unless otherwise provided by state  
793 or federal law.

794 **SECTION 5.02.**

795 Preparation of budgets.

796 The city council shall provide, by ordinance, the procedures and requirements for the  
797 preparation and execution of an annual operating budget, a capital improvements program,  
798 and a capital budget, including requirements as to the scope, content, and form of such  
799 budgets and programs.

800

**SECTION 5.03.**

801

Submission of operating budget to city council.

802 On or before a date fixed by the city council, but not later than 30 days prior to the  
803 beginning of each fiscal year, the mayor shall submit to the city council a proposed operating  
804 budget for the ensuing fiscal year. The budget shall be accompanied by a message from the  
805 mayor containing a statement of the general fiscal policies of the city, the important features  
806 of the budget, explanations of major changes recommended for the next fiscal year, a general  
807 summary of the budget, and such other comments and information as he or she may deem  
808 pertinent. The operating budget and the capital improvements budget hereinafter provided  
809 for, the budget message, and all supporting documents shall be filed in the office of the city  
810 clerk and shall be open to public inspection.

811

**SECTION 5.04.**

812

Action by city council on budget.

813 The city council may amend the operating budget proposed by the mayor, except that the  
814 budget, as finally amended and adopted, shall provide for all expenditures required by law,  
815 or by other provisions of this Act, and for all debt service requirements for the ensuing fiscal  
816 year, and the total appropriations from any fund shall not exceed the estimated fund balance,  
817 reserves, and revenues constituting the fund availability of such fund.

818

**SECTION 5.05.**

819

Audits.

820 (a) There shall be an annual independent audit of all city accounts, funds, and financial  
821 transactions by a certified public accountant selected by the city council and supervised by  
822 the chief city auditor. The audit shall be conducted according to generally accepted  
823 accounting principles. Any audit of any funds by the state or federal government may be  
824 accepted as satisfying the requirements of this Act. Copies of all audit reports shall be  
825 available at printing cost to the public.

826 (b) As a minimum, all audits and budgets of the city shall satisfy the requirements of  
827 Chapter 81 of Title 36 of the O.C.G.A., relating to local government audits and budgets.

828

**SECTION 5.06.**

829

## General homestead exemption.

830 (a) As used in this section, the term:

831 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
832 purposes levied by, for, or on behalf of the City of South Fulton, except for any ad  
833 valorem taxes to pay interest on and to retire municipal bonded indebtedness.834 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
835 the O.C.G.A., as amended.836 (b) Each resident of the City of South Fulton is granted an exemption on that person's  
837 homestead from City of South Fulton ad valorem taxes for municipal purposes in the amount  
838 of \$30,000.00 of the assessed value of that homestead. The value of that property in excess  
839 of such exempted amount shall remain subject to taxation.840 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
841 section unless the person or person's agent files an application with the governing authority  
842 of the City of South Fulton, or the designee thereof, giving such information relative to  
843 receiving such exemption as will enable the governing authority of the City of South Fulton,  
844 or the designee thereof, to make a determination regarding the initial and continuing  
845 eligibility of such owner for such exemption. The governing authority of the City of South  
846 Fulton, or the designee thereof, shall provide application forms for this purpose.847 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
848 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
849 so long as the owner occupies the residence as a homestead. After a person has filed the  
850 proper application as provided in subsection (c) of this section, it shall not be necessary to  
851 make application thereafter for any year and the exemption shall continue to be allowed to  
852 such person. It shall be the duty of any person granted the homestead exemption under  
853 subsection (b) of this section to notify the governing authority of the City of South Fulton,  
854 or the designee thereof, in the event that person for any reason becomes ineligible for such  
855 exemption.856 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
857 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
858 school district ad valorem taxes for educational purposes. The homestead exemption granted  
859 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
860 exemption applicable to municipal ad valorem taxes for municipal purposes.861 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
862 beginning on or after January 1, 2016.

863

**SECTION 5.07.**

864

General homestead exemption for citizens age 65 or over.

865 (a) As used in this section, the term:

866

(1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal purposes levied by, for, or on behalf of the City of South Fulton, except for any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

867

868

869

(2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of the O.C.G.A., as amended.

870

871

(3) "Senior citizen" means a person who is 65 years of age or over on or before January 1 of the year in which application for the exemption under subsection (b) of this section is made.

872

873

874 (b) Each resident of the City of South Fulton who is a senior citizen is granted an exemption

875 on that person's homestead from City of South Fulton ad valorem taxes for municipal

876 purposes in the amount of \$15,000.00 of the assessed value of that homestead. The value of

877 that property in excess of such exempted amount shall remain subject to taxation.

878 (c) A person shall not receive the homestead exemption granted by subsection (b) of this

879 section unless the person or person's agent files an application with the governing authority

880 of the City of South Fulton, or the designee thereof, giving the person's age and such

881 additional information relative to receiving such exemption as will enable the governing

882 authority of the City of South Fulton, or the designee thereof, to make a determination

883 regarding the initial and continuing eligibility of such owner for such exemption. The

884 governing authority of the City of South Fulton, or the designee thereof, shall provide

885 application forms for this purpose.

886 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of

887 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year

888 so long as the owner occupies the residence as a homestead. After a person has filed the

889 proper application, as provided in subsection (c) of this section, it shall not be necessary to

890 make application thereafter for any year and the exemption shall continue to be allowed to

891 such person. It shall be the duty of any person granted the homestead exemption under

892 subsection (b) of this section to notify the governing authority of the City of South Fulton,

893 or the designee thereof, in the event that person for any reason becomes ineligible for that

894 exemption.

895 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state

896 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent

897 school district ad valorem taxes for educational purposes. The homestead exemption granted

898 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
899 exemption applicable to municipal ad valorem taxes for municipal purposes.

900 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
901 beginning on or after January 1, 2016.

902 **SECTION 5.08.**

903 Homestead exemption for citizens age 65 or over  
904 meeting certain income requirements.

905 (a) As used in this section, the term:

906 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
907 purposes levied by, for, or on behalf of the City of South Fulton, including, but not  
908 limited to, any ad valorem taxes to pay interest on and to retire municipal bonded  
909 indebtedness.

910 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
911 the O.C.G.A., as amended.

912 (3) "Income" means adjusted gross income as such term is defined in the Internal  
913 Revenue Code of 1986, as such code is defined in Code Section 48-1-2 of the O.C.G.A.,  
914 except that for purposes of this section the term shall include only that portion of income  
915 or benefits received as retirement, survivor, or disability benefits under the federal Social  
916 Security Act or under any other public or private retirement, disability, or pension system  
917 which exceeds the maximum amount which may be received by an individual and an  
918 individual's spouse under the federal Social Security Act.

919 (4) "Senior citizen" means a person who is 65 years of age or over on or before January 1  
920 of the year in which application for the exemption under subsection (b) of this section is  
921 made.

922 (b) Each resident of the City of South Fulton who is a senior citizen is granted an exemption  
923 on that person's homestead from City of South Fulton ad valorem taxes for municipal  
924 purposes in the amount of \$10,000.00 of the assessed value of that homestead. The  
925 exemption granted by this subsection shall only be granted if that person's income, together  
926 with the income of the spouse who also occupies and resides at such homestead, does not  
927 exceed the maximum amount which may be received by an individual and an individual's  
928 spouse under the federal Social Security Act for the immediately preceding year. The value  
929 of that property in excess of such exempted amount shall remain subject to taxation.

930 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
931 section unless the person or person's agent files an application with the governing authority  
932 of the City of South Fulton, or the designee thereof, giving the person's age, income, and

933 such additional information relative to receiving such exemption as will enable the governing  
 934 authority of the City of South Fulton, or the designee thereof, to make a determination  
 935 regarding the initial and continuing eligibility of such owner for such exemption. The  
 936 governing authority of the City of South Fulton, or the designee thereof, shall provide  
 937 application forms for this purpose.

938 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
 939 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
 940 so long as the owner occupies the residence as a homestead. After a person has filed the  
 941 proper application, as provided in subsection (c) of this section, it shall not be necessary to  
 942 make application thereafter for any year and the exemption shall continue to be allowed to  
 943 such person. It shall be the duty of any person granted the homestead exemption under  
 944 subsection (b) of this section to notify the governing authority of the City of South Fulton,  
 945 or the designee thereof, in the event that person for any reason becomes ineligible for that  
 946 exemption.

947 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
 948 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
 949 school district ad valorem taxes for educational purposes. The homestead exemption granted  
 950 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
 951 exemption applicable to municipal ad valorem taxes for municipal purposes.

952 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
 953 beginning on or after January 1, 2016.

#### 954 **SECTION 5.09.**

955 Homestead exemption for citizens age 70 or over  
 956 and disabled persons meeting certain income requirements.

957 (a) As used in this section, the term:

958 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
 959 purposes levied by, for, or on behalf of the City of South Fulton, including, but not  
 960 limited to, any ad valorem taxes to pay interest on and to retire municipal bonded  
 961 indebtedness.

962 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
 963 the O.C.G.A., as amended.

964 (3) "Income" means adjusted gross income determined pursuant to the Internal Revenue  
 965 Code of 1986, as amended, for federal income tax purposes, except that for the purposes  
 966 of this section the term shall include only that portion of income or benefits received as  
 967 retirement, survivor, or disability benefits under the federal Social Security Act or under

968 any other public or private retirement, disability, or pension system which exceeds the  
969 maximum amount which may be received by an individual and an individual's spouse  
970 under the federal Social Security Act.

971 (4) "Senior citizen" means a person who is 70 years of age or over on or before January 1  
972 of the year in which application for the exemption under subsection (b) of this section is  
973 made.

974 (b) Each resident of the City of South Fulton who is a senior citizen or who is disabled is  
975 granted an exemption on that person's homestead from City of South Fulton ad valorem taxes  
976 for municipal purposes for the full value of that homestead. The exemption granted by this  
977 subsection shall only be granted if that person's income, together with the income of the  
978 spouse who also occupies and resides at such homestead, does not exceed the maximum  
979 amount which may be received by an individual and an individual's spouse under the federal  
980 Social Security Act for the immediately preceding year.

981 (c)(1) In order to qualify for the exemption provided for in subsection (b) of this section  
982 as being disabled, the person claiming such exemption shall be required to obtain a  
983 certificate from not more than three physicians licensed to practice medicine under  
984 Chapter 34 of Title 43 of the O.C.G.A., as amended, certifying that in the opinion of such  
985 physician or physicians such person is mentally or physically incapacitated to the extent  
986 that such person is unable to be gainfully employed and that such incapacity is likely to  
987 be permanent. Such certificate or certificates shall constitute part of and be submitted  
988 with the application provided for in paragraph (2) of this subsection.

989 (2) A person shall not receive the homestead exemption granted by subsection (b) of this  
990 section unless the person or person's agent files an application with the governing  
991 authority of the City of South Fulton, or the designee thereof, giving the person's age,  
992 income, and such additional information relative to receiving such exemption as will  
993 enable the governing authority of the City of South Fulton, or the designee thereof, to  
994 make a determination regarding the initial and continuing eligibility of such owner for  
995 such exemption. The governing authority of the City of South Fulton, or the designee  
996 thereof, shall provide application forms for this purpose.

997 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
998 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
999 so long as the owner occupies the residence as a homestead. After a person has filed the  
1000 proper application, as provided in subsection (c) of this section, it shall not be necessary to  
1001 make application thereafter for any year and the exemption shall continue to be allowed to  
1002 such person. It shall be the duty of any person granted the homestead exemption under  
1003 subsection (b) of this section to notify the governing authority of the City of South Fulton,

1004 or the designee thereof, in the event that person for any reason becomes ineligible for that  
1005 exemption.

1006 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
1007 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
1008 school district ad valorem taxes for educational purposes. The homestead exemption granted  
1009 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
1010 exemption applicable to municipal ad valorem taxes for municipal purposes.

1011 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
1012 beginning on or after January 1, 2016.

## 1013 ARTICLE VI

### 1014 GENERAL PROVISIONS

#### 1015 SECTION 6.01.

#### 1016 Referendum and initial election.

1017 (a) The election superintendent of Fulton County shall call a special election for the purpose  
1018 of submitting this Act to the qualified voters of the proposed City of South Fulton for  
1019 approval or rejection. The superintendent shall set the date of such election for the Tuesday  
1020 next following the first Monday in November, 2015. The superintendent shall issue the call  
1021 for such election at least 30 days prior to the date thereof. The superintendent shall cause the  
1022 date and purpose of the election to be published once a week for two weeks immediately  
1023 preceding the date thereof in the official organ of Fulton County. The ballot shall have  
1024 written or printed thereon the words:

1025 "( ) YES Shall the Act incorporating the City of South Fulton in Fulton County and  
1026 ( ) NO granting the homestead exemptions described therein be approved?"

1027 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons  
1028 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes  
1029 cast on such question are for approval of the Act, it shall become of full force and effect as  
1030 provided in Section 6.02 of this Act; otherwise, this Act shall not take effect and shall be  
1031 void and of no force and effect. The initial expense of such election shall be borne by Fulton  
1032 County. Within two years after the election if the incorporation is approved, the City of  
1033 South Fulton shall reimburse Fulton County for the actual cost of printing and personnel  
1034 services for such election and for the initial election of the mayor, president of city council,  
1035 and members of the city council pursuant to subsection (b) of Section 2.02 of this Act. It  
1036 shall be the duty of the superintendent to hold and conduct such election. It shall be his or  
1037 her further duty to certify the result thereof to the Secretary of State.

1038 (b) For the purposes of the referendum election provided for in this section and for the  
 1039 purposes of the election to be held in conjunction with the 2016 presidential preference  
 1040 primary, the qualified electors of the City of South Fulton shall be those qualified electors  
 1041 of Fulton County residing within the corporate limits of the City of South Fulton as described  
 1042 by Appendix A of this Act. At subsequent municipal elections, the qualified electors of the  
 1043 City of South Fulton shall be determined pursuant to the authority of Chapter 2 of Title 21  
 1044 of the O.C.G.A., the "Georgia Election Code."

1045 (c) Only for the purposes of holding and conducting the referendum election provided for  
 1046 by this section and holding and conducting the election of the mayor, president of city  
 1047 council, and city councilmembers of the City of South Fulton to be held in conjunction with  
 1048 the 2016 presidential preference primary, the election superintendent of Fulton County is  
 1049 vested with the powers and duties of the election superintendent of the City of South Fulton  
 1050 and the powers and duties of the governing authority of the City of South Fulton.

1051 **SECTION 6.02.**

1052 Effective dates.

1053 (a) Section 6.01 of this Act shall become effective upon its approval by the Governor or  
 1054 upon its becoming law without such approval. If the incorporation of the City of South  
 1055 Fulton is approved in the referendum provided for in Section 6.01 of this Act, the remainder  
 1056 of this Act shall become effective upon the certification of the results of the referendum. A  
 1057 special election for the purpose of electing the first members of the governing authority shall  
 1058 be held in conjunction with the 2016 presidential preference primary. The City of South  
 1059 Fulton shall come into full existence and begin operation on the first day of the second month  
 1060 following the month in which the 2016 presidential preference primary is held.

1061 (b) A period of time will be needed for an orderly transition of various government functions  
 1062 from Fulton County to the City of South Fulton. Accordingly, there shall be a transition  
 1063 period beginning on the date of the certification of the referendum results approving the  
 1064 incorporation of the City of South Fulton and ending at midnight of the last day of the  
 1065 twenty-fourth month following such date. During such transition period, all provisions of  
 1066 this Act shall be effective as law, but not all provisions of this Act shall be implemented.

1067 (c) During such transition period, Fulton County shall continue to provide within the  
 1068 territorial limits of the City of South Fulton all government services and functions which  
 1069 Fulton County provided in that area as of the date of enactment of this Act, except to the  
 1070 extent otherwise provided in this section; provided, however, that by agreement of Fulton  
 1071 County and the City of South Fulton, responsibility for any such service or function may be  
 1072 transferred to the City of South Fulton at such time as may be agreed upon by the parties.

1073 Beginning on the first day of the second month following the month in which the 2016  
1074 presidential preference primary is held, the City of South Fulton shall collect taxes, fees,  
1075 assessments, fines and forfeitures, and other moneys within the territorial limits of the City  
1076 of South Fulton; provided, however, that upon at least 30 days' prior written notice to Fulton  
1077 County by the City of South Fulton, the authority to collect any tax, fee, assessment, fine,  
1078 forfeiture, or other moneys shall remain with Fulton County after January 1, 2016, until such  
1079 time as Fulton County receives subsequent notice from the City of South Fulton that such  
1080 authority shall be transferred to the City of South Fulton. Where a particular tax, fee,  
1081 assessment, fine, forfeiture, or other amount collected is specifically related to the provision  
1082 of a particular government service or function by Fulton County, the service or function shall  
1083 continue to be provided by the county contingent upon payment by the city of the actual cost  
1084 of providing such service or function unless otherwise provided in a written agreement  
1085 between the city and the county. Any existing contract for the performance of a  
1086 governmental service with a private person residing or doing business within the city limits  
1087 shall not be altered or adversely affected by the establishment of this Act of the City of South  
1088 Fulton.

1089 (d) During the transition period, the governing authority of the City of South Fulton:

- 1090 (1) Shall hold regular meetings and may hold special meetings as provided in this Act;
- 1091 (2) May enact ordinances and resolutions as provided in this Act;
- 1092 (3) May amend this Act by home rule action as provided by general law;
- 1093 (4) May accept gifts and grants;
- 1094 (5) May borrow money and incur indebtedness to the extent authorized by this Act and  
1095 general law;
- 1096 (6) May levy and collect an ad valorem tax for the calendar year next following the first  
1097 municipal election;
- 1098 (7) May establish a fiscal year and budget;
- 1099 (8) May create, alter, or abolish departments, boards, offices, commissions, and agencies  
1100 of the city; appoint and remove officers and employees; and exercise all necessary or  
1101 appropriate personnel and management functions; and
- 1102 (9) May generally exercise any power granted by this Act or general law, except to the  
1103 extent that a power is specifically and integrally related to the provision of a  
1104 governmental service, function, or responsibility not yet provided or carried out by the  
1105 city.

1106 (e) During the transition period, the Municipal Court of the City of South Fulton shall  
1107 exercise its jurisdiction to the extent appropriate with respect to the government services and  
1108 functions performed by the City of South Fulton and the appropriate court or courts of Fulton  
1109 County shall retain jurisdiction over the area incorporated as the City of South Fulton with

1110 respect to government services and functions performed by Fulton County. Any transfer of  
 1111 jurisdiction to the City of South Fulton at the beginning of, during, at the end of, or after the  
 1112 transition period shall not in and of itself abate any judicial proceeding pending in Fulton  
 1113 County or the pending prosecution of any violation of any ordinance of Fulton County.

1114 (f) During the transition period, the governing authority of South Fulton may at any time,  
 1115 without the necessity of any agreement by Fulton County, commence to exercise its planning  
 1116 and zoning powers; provided, however, that the city shall give the county at least 30 days'  
 1117 written notice of the date on which the city will assume the exercise of such powers. Upon  
 1118 the governing authority of South Fulton commencing to exercise its planning and zoning  
 1119 powers, the Municipal Court of the City of South Fulton shall immediately have jurisdiction  
 1120 to enforce the planning and zoning ordinances of the city. The provisions of this subsection  
 1121 shall control over any conflicting provisions of any other subsection of this section.

1122 (g) Effective upon the termination of the transition period, subsections (c) through (f) of this  
 1123 section shall cease to apply except for the last sentence of subsection (e) which shall remain  
 1124 effective. Effective upon the termination of the transition period, the City of South Fulton  
 1125 shall be a fully functioning municipal corporation and subject to all general laws of this state.

### 1126 **SECTION 6.03.**

#### 1127 Catchlines.

1128 The catchlines of sections of this Act or any ordinance printed in boldface type, italics, or  
 1129 otherwise are intended as mere catchwords to indicate the contents of the section and:

1130 (1) Shall not be deemed or taken to be titles of such sections or as any part of the section;  
 1131 and

1132 (2) Shall not be so deemed when any of such sections, including the catchlines, are  
 1133 amended or reenacted unless expressly provided to the contrary.

1134 Furthermore, the article and section headings contained in this Act shall not be deemed to  
 1135 govern, limit, or modify or in any manner affect the scope, meaning, or intent of the  
 1136 provisions of any article or section hereof.

### 1137 **SECTION 6.04.**

#### 1138 Directory nature of dates.

1139 If it is necessary to delay any action called for in this Act for providential cause or any other  
 1140 reason, it is the intention of the General Assembly that the action be delayed rather than  
 1141 abandoned. Any delay in performing any action under this Act, whether for cause or

1142 otherwise, shall not operate to frustrate the overall intent of this Act. Without limiting the  
1143 generality of the foregoing, it is specifically provided that:

1144 (1) If it is not possible to hold the referendum election provided for in Section 6.01 of  
1145 this Act on the date specified in that section, then such referendum shall be held as soon  
1146 after such date as is reasonably practicable; and

1147 (2) If it is not possible to hold the first regular municipal election provided for in  
1148 Section 2.02 of this Act on the date specified in that section, then there shall be a special  
1149 election for the initial members of the governing authority to be held as soon thereafter  
1150 as is reasonably practicable, and the commencement of the initial terms of office shall be  
1151 delayed accordingly.

1152 **SECTION 6.05.**

1153 Severability.

1154 In the event any section, subsection, sentence, clause, or phrase of this Act shall be  
1155 declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect  
1156 the other sections, subsections, sentences, clauses, or phrases of this Act, which shall remain  
1157 of full force and effect, as if the section, subsection, sentence, clause, or phrase so declared  
1158 or adjudged invalid or unconstitutional were not originally a part hereof. The General  
1159 Assembly hereby declares that it would have passed the remaining parts of this Act if it had  
1160 known that such part or parts hereof would be declared or adjudged invalid or  
1161 unconstitutional.

1162 **SECTION 6.06.**

1163 Repealer.

1164 All laws and parts of laws in conflict with this Act are repealed.

1165

## APPENDIX A

1166 The City of South Fulton shall include all the territory embraced within the following census  
 1167 blocks based upon the 2010 United States decennial census but shall not include any territory  
 1168 that was annexed into another municipality not less than 90 days prior to the Tuesday next  
 1169 following the first Monday in November, 2015, and shall not include the territory included  
 1170 within the Fulton County Industrial District unless the local constitutional amendment  
 1171 creating such district is repealed prior to the first municipal election for the city:

1172 Fulton County

1173 VTD: 12109B - 09B

1174 008202:

1175 4002

1176 VTD: 12111E4 - 11E4

1177 007706:

1178 2028

1179 VTD: 121CP08B - CP08B

1180 010511:

1181 2004

1182 VTD: 121EP08A - EP08A

1183 011305:

1184 3015 3017

1185 011306:

1186 1031 2008 2018 2021

1187 VTD: 121FA01A - FA01A

1188 010400:

1189 3064 3066 3078 3079 3087 3099

1190 010514:

1191 2051 2078 2086 2100 2101 2102

1192 VTD: 121FA01B - FA01B

1193 010510:

1194 3126

1195 VTD: 121SC01 - SC01

1196 VTD: 121SC02 - SC02

1197 VTD: 121SC04 - SC04

1198 VTD: 121SC05 - SC05

1199 VTD: 121SC07 - SC07

1200 010304:  
 1201 2087 2103 2105 2106 2107 2108 2109 2112  
 1202 010400:  
 1203 3000 3003 3005 3006 3008 3009 3011 3012 3013 3014 3017 3019  
 1204 3021 3028 3029 3042 3043 3053 3054 3065 3080  
 1205 010513:  
 1206 1021 1022 1043 1044 1045 1048 1049 1050 1051 1052 1055 1060  
 1207 1061 1062 1078 1098 1119 2022 2024 2029 2030 2056 3045  
 1208 010514:  
 1209 1002 1003 1004 1005 1006 1012 1013 1014 1017 1019 1021 1022  
 1210 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034  
 1211 1036 1037 1043 1044 1046 1051 1054 1055 1056 1057 1059 1061  
 1212 1062 1063 1065 1066 1067 1073 1087 1088 1089 2000 2002 2003  
 1213 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015  
 1214 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2028  
 1215 2029 2030 2031 2032 2033 2034 2035 2038 2040 2043 2044 2045  
 1216 2046 2054 2055 2057 2059 2060 2061 2068 2071 2072 2073 2074  
 1217 2075 2076 2077 2080 2085 2087 2091 2094 2098 2108 2109 2110  
 1218 2111 3055 3056 3079 3080  
 1219 VTD: 121SC08 - SC08  
 1220 010507:  
 1221 3066  
 1222 010510:  
 1223 2003 4000 4001 4009  
 1224 010511:  
 1225 1033 1034 1035 1036 1037 1038 1039 1040 1041 1043 1045 1046  
 1226 1047 1048 1049 1061 1062 2005 2006 2008 2009 2010 2011 2012  
 1227 2013 2014 2015 2017 2018 2019 2020 2021 2024 2027 2028 2029  
 1228 2030 2031 2032 2033 2034 2036 2037 2038 2039 2040 2041 2042  
 1229 2043 2044 2045 2046 2047 2051 2052 2053 2054 2055 2056 2058  
 1230 2062 2064 3000 3001 3002 3003 3004 3005 3008 3011 3012 3013  
 1231 3014 3015  
 1232 010512:  
 1233 1002 1003 1004 1005 1006 1007 1008 1016 1017 1024 1025 2001  
 1234 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2015  
 1235 2019 2020 2035 2036

1236 010513:  
 1237 1007 1008 1063 1064 1069 1070 1071 1073 1074 1075 1077 1087  
 1238 1088 1089 1094 1096 1097 1102 1105 1109 1110  
 1239 VTD: 121SC09 - SC09  
 1240 VTD: 121SC10 - SC10  
  
 1241 010507:  
 1242 1006 1008 2001 2002 2003 2004 2005 2006 2007 3037 3055 3056  
 1243 3057 3059 3060 3067 3068  
 1244 010511:  
 1245 2066  
 1246 VTD: 121SC11 - SC11  
 1247 VTD: 121SC13A - SC13A  
 1248 VTD: 121SC13B - SC13B  
 1249 010301:  
 1250 1016 1017 1018 1026 1027 1028 1029 1030 1031 1032 1049 1050  
 1251 1051 1052 1053 1056 1057 1058 1062 1063 1064 1065 1066 1067  
 1252 1068 1083 1084 1085 1086 1087 1088 1089 1090 1091 1092 1093  
 1253 1097 1098 1099 1100 1101 1102 1103 1104 1105 1106 1110 1115  
 1254 1116 1119 1123 1137  
 1255 VTD: 121SC14 - SC14  
 1256 VTD: 121SC16A - SC16A  
 1257 VTD: 121SC16B - SC16B  
 1258 VTD: 121SC17 - SC17  
 1259 010511:  
 1260 1019 1020 1021 1022 1023 1027 1028 1029 1032 1050 1051 1052  
 1261 1053 1054 1055 1056 1057 1058 1059 1063 1064 1065 1066  
 1262 010513:  
 1263 1001 1005 1016 1030 1031 1032 1037 1038 1039 1041 1042 1103  
 1264 1104 1106 1107 1117  
 1265 VTD: 121SC18 - SC18  
 1266 007706:  
 1267 2007 2014 2017 2018 2019 2020 2021 2023 2029  
 1268 010304:  
 1269 1015 1016 1017 1018 1019 1020 1021 1023 1024 1025 1026 1027  
 1270 1030 1031 1032 1033 1034 1035 1036 2000 2001 2004 2011 2012  
 1271 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024

1272 2025 2026 2041 2042 2043 2044 2045 2072 2073 2075 2078 2081  
 1273 2092 2093 2115  
 1274 VTD: 121SC19 - SC19  
 1275 010507:  
 1276 3002 3004 3005 3006 3007 3008 3009 3010 3011 3017 3020 3021  
 1277 3022  
 1278 010511:  
 1279 1012 1013 1015 1016 1018 1024 1025 1026 1030 1031 1067  
 1280 010604:  
 1281 3011 3012 3013 3015 3016  
 1282 011305:  
 1283 3018 3019 3020 3021  
 1284 011306:  
 1285 1011 1012 1032 1033 1034 1036 1038 1039 1040 2019 2020 2025  
 1286 2028 2029 2030 2031 2032 2033 2035 2036 2037 2038 2039  
 1287 VTD: 121SC21 - SC21  
 1288 010510:  
 1289 2019 2020 2021 3002 3010 3011 3012 3013 3015 3016 3017 3026  
 1290 3027 3028 3029 3031 3034 3036 3037 3038 3039 3042 3043 3044  
 1291 3045 3046 3047 3048 3049 3050 3051 3052 3053 3054 3055 3064  
 1292 3066 3067 3068 3069 3070 3071 3072 3073 3074 3075 3076 3077  
 1293 3078 3079 3080 3082 3083 3085 3086 3087 3088 3089 3091 3096  
 1294 3102 3103 3104 3105 3106 3107 3108 3109 3110 3112 3114 3115  
 1295 3116 3127 3174 3186 3187 3188 3189 3190 3192 3214 3215 3216  
 1296 3217 3220 3221 3222  
 1297 010513:  
 1298 2036  
 1299 010515:  
 1300 1022 1023 1024 1025 1036 1037 1038 1039 1040 1041 1042 1046  
 1301 1048  
 1302 VTD: 121SC23 - SC23  
 1303 VTD: 121SC27 - SC27  
 1304 VTD: 121SC29 - SC29  
 1305 VTD: 121SC30 - SC30  
 1306 007703:  
 1307 3000 3001 3002 3003 3016

1308 007704:  
 1309 3005 3006  
 1310 007802:  
 1311 1000 1001 1002 1003 1004 1006 1016 1018 1025 1027 1028 4012  
 1312 007806:  
 1313 2002 2020 2021 2022 2023 2024  
  
 1314 007900:  
 1315 3017 3018 3019 3038 3042 3051 3052 3058  
 1316 VTD: 121UC02 - UC02  
 1317 010510:  
 1318 3014  
 1319 010513:  
 1320 2037 2057  
 1321 VTD: 121UC03A - UC03A  
 1322 010510:  
 1323 3008

1324 APPENDIX B

1325 Plan: SF-7dp1  
 1326 Plan Type: Local  
 1327 Administrator: HD61  
 1328 User: bak  
  
 1329 District 001  
 1330 Fulton County  
 1331 VTD: 12109B - 09B  
 1332 008202:  
 1333 4002  
 1334 VTD: 121SC01 - SC01  
 1335 007802:  
 1336 2017  
 1337 010303:  
 1338 1000 1001 1002 1003 1004 1014 1015 1016 1017 1018 1019 1020  
 1339 1040 1041 1043 2049 2050 2051 2053 2054 2055 2056 2057 2058  
 1340 2059 2060 2061 2062 2063 2064 2065 2070 2081

1341 010304:  
 1342 1000 1001 1002 1003 1004  
 1343 VTD: 121SC02 - SC02  
 1344 VTD: 121SC14 - SC14  
 1345 VTD: 121SC16A - SC16A  
 1346 VTD: 121SC16B - SC16B  
 1347 VTD: 121SC30 - SC30  
 1348 007703:  
 1349 3000 3001 3002 3003 3016  
 1350 007704:  
 1351 3005 3006  
 1352 007802:  
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 1354 007806:  
 1355 2002 2020 2021 2022 2023 2024  
 1356 007900:  
 1357 3017 3018 3019 3038 3042 3051 3052 3058  
  
 1358 District 002  
 1359 Fulton County  
 1360 VTD: 12111E4 - 11E4  
 1361 007706:  
 1362 2028  
 1363 VTD: 121SC01 - SC01  
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 1366 010304:  
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 1368 1029  
 1369 VTD: 121SC13A - SC13A  
 1370 VTD: 121SC18 - SC18  
 1371 007706:  
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 1373 010304:  
 1374 1015 1016 1017 1018 1019 1020 1021 1023 1024 1025 1026 1027  
 1375 1030 1031 1032 1033 1034 1035 1036 2000 2001 2016 2017 2018  
 1376 2019 2020 2021 2022 2023 2024 2025 2026

1377 District 003  
 1378 Fulton County  
 1379 VTD: 121EP08A - EP08A  
 1380 011305:  
 1381 3015 3017  
  
 1382 011306:  
 1383 1031 2008 2018 2021  
 1384 VTD: 121SC05 - SC05  
 1385 010301:  
 1386 1095 2034 2035 2038 2039 2040 2042 2043 2044 2045 2046 2047  
 1387 2048 2049  
 1388 010304:  
 1389 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038  
 1390 2039 2040 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055  
 1391 2056 2057 2060 2061 2063 2064 2065 2066 2067 2068 2069 2070  
 1392 2071 2083 2085 2089 2090 2091 2094 2095 2096 2097 2098 2099  
 1393 2100 2101 2114  
 1394 010513:  
 1395 1009 1025 1026  
 1396 010514:  
 1397 1000  
 1398 VTD: 121SC08 - SC08  
 1399 010513:  
 1400 1007 1008 1063 1064 1069 1070 1073 1074 1075 1087 1088 1089  
 1401 1094 1102 1110  
 1402 VTD: 121SC17 - SC17  
 1403 010511:  
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 1408 1104 1106 1107 1117  
 1409 VTD: 121SC18 - SC18  
 1410 010304:  
 1411 2004 2011 2012 2013 2014 2015 2041 2042 2043 2044 2045 2072  
 1412 2073 2075 2078 2081 2092 2093 2115

1413 VTD: 121SC19 - SC19  
 1414 010511:  
 1415 1012 1013 1015 1016 1018 1024 1025 1026 1030 1031 1067  
 1416 010604:  
 1417 3011 3012 3013 3015 3016  
  
 1418 011305:  
 1419 3018 3019 3020 3021  
 1420 011306:  
 1421 1011 1012 1032 1033 1034 1036 1038 1039 1040 2019 2020 2025  
 1422 2028 2029 2030 2031 2032 2033 2035 2036 2037 2038 2039  
  
 1423 District 004  
 1424 Fulton County  
 1425 VTD: 121FA01A - FA01A  
 1426 010400:  
 1427 3064 3066 3078 3079 3087 3099  
 1428 010514:  
 1429 2051 2078 2086 2100 2101 2102  
 1430 VTD: 121SC04 - SC04  
 1431 VTD: 121SC05 - SC05  
 1432 010301:  
 1433 1048 1054 1055 2009 2010 2011 2013 2014 2015 2016 2017 2018  
 1434 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030  
 1435 2031 2032 2033 2051 2052 2053  
 1436 VTD: 121SC07 - SC07  
 1437 010304:  
 1438 2087 2103 2105 2106 2107 2108 2109 2112  
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 1442 010513:  
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 1445 010514:  
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1448 1036 1037 1043 1044 1046 1051 1054 1055 1056 1057 1059 1061  
 1449 1062 1063 1065 1066 1067 1073 1087 1088 1089 2000 2002 2003  
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 1455 2111  
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 1457 010513:  
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 1459 VTD: 121SC13B - SC13B  
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 1463 1068 1083 1084 1085 1086 1087 1088 1089 1090 1091 1092 1093  
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 1465 1116 1119 1123 1137  
  
 1466 District 005  
 1467 Fulton County  
 1468 VTD: 121CP08B - CP08B  
 1469 010511:  
 1470 2004  
 1471 VTD: 121SC08 - SC08  
 1472 010507:  
 1473 3066  
 1474 010510:  
 1475 2003 4000 4001 4009  
 1476 010511:  
 1477 1033 1034 1035 1036 1037 1038 1039 1040 1041 1043 1045 1046  
 1478 1047 1048 1049 1061 1062 2005 2006 2008 2009 2010 2011 2012  
 1479 2013 2014 2015 2017 2018 2019 2020 2021 2024 2027 2028 2029  
 1480 2030 2031 2032 2033 2034 2036 2037 2038 2039 2040 2041 2042  
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 1482 2062 2064 3000 3001 3002 3003 3004 3005 3008 3011 3012 3013  
 1483 3014 3015

1484 010512:  
 1485 1002 1003 1004 1005 1006 1007 1008 1016 1017 1024 1025 2001  
 1486 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2015  
 1487 2019 2020 2035 2036  
 1488 010513:  
 1489 1071 1096 1097 1105 1109  
 1490 VTD: 121SC09 - SC09  
 1491 010507:  
 1492 4000 4001 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011  
 1493 4012 4013 4014 4015 4016 4017 4018  
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 1495 1012 1013 1014 1015 1016 1017 1018 1019 1020  
 1496 010510:  
 1497 2002 2013 4003 4004 4005 4006 4008 4010  
 1498 VTD: 121SC10 - SC10  
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 1507 3022  
  
 1508 District 006  
 1509 Fulton County  
 1510 VTD: 121SC09 - SC09  
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 1514 VTD: 121SC11 - SC11  
 1515 VTD: 121SC23 - SC23  
 1516 010516:  
 1517 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2012  
 1518 2013 2014 2015 2016 2019 2020 2021 2022 2023 2024 2025 2026  
 1519 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037

1520 VTD: 121SC27 - SC27  
  
 1521 District 007  
 1522 Fulton County  
 1523 VTD: 121FA01B - FA01B  
  
 1524 010510:  
 1525 3126  
 1526 VTD: 121SC07 - SC07  
 1527 010513:  
 1528 2022 2024 2029 2030 2056  
 1529 010514:  
 1530 3055 3056 3079 3080  
 1531 VTD: 121SC21 - SC21  
 1532 010510:  
 1533 2019 2020 2021 3002 3010 3011 3012 3013 3015 3016 3017 3026  
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 1535 3045 3046 3047 3048 3049 3050 3051 3052 3053 3054 3055 3064  
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 1540 3217 3220 3221 3222  
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 1542 2036  
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 1546 VTD: 121SC23 - SC23  
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 1549 010515:  
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 1552 1045

- 1553 010516:
- 1554 2011 2017 2018
- 1555 VTD: 121SC29 - SC29
- 1556 VTD: 121UC02 - UC02
- 1557 010510:
- 1558 3014
- 1559 010513:
- 1560 2037 2057
- 1561 VTD: 121UC03A - UC03A
- 1562 010510:
- 1563 3008

1564 APPENDIX C

1565 CERTIFICATE AS TO MINIMUM STANDARDS  
 1566 FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

1567 I, Representative Roger Bruce, Georgia State Representative from the 61st District and the  
 1568 author of this bill introduced at the 2015 session of the General Assembly of Georgia, which  
 1569 grants an original municipal charter to the City of South Fulton, do hereby certify that this  
 1570 bill is in compliance with the minimum standards required by Chapter 31 of Title 36 of the  
 1571 O.C.G.A. in that the area embraced within the original incorporation in this bill is in all  
 1572 respects in compliance with the minimum standards required by Chapter 31 of Title 36 of the  
 1573 O.C.G.A. This certificate is executed to conform to the requirements of Code  
 1574 Section 36-31-5 of the O.C.G.A.

1575 So certified this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

1576 Honorable Roger Bruce  
 1577 Representative, 61st District  
 1578 Georgia State House of Representatives