

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:

21 ARTICLE I
 22 CREATION, INCORPORATION, POWERS

23 SECTION 1.01.

24 Incorporation.

25 This Act shall constitute the charter of the City of South Fulton. The City of South Fulton
 26 in the County of Fulton, and the inhabitants thereof, are constituted and declared a body
 27 politic and corporate under the name and style of the "City of South Fulton" and by that name
 28 shall have perpetual succession, may sue and be sued, plead and be impleaded, in all courts
 29 of law and equity, and in all actions whatsoever, and may have and use a common seal.

30 SECTION 1.02.

31 Corporate boundaries.

32 The boundaries of the City of South Fulton shall include all unincorporated areas of Fulton
 33 County, including the Fulton County Industrial District, as such exist on the effective date
 34 of this Act. The boundaries of the city are more particularly described in Appendix A,
 35 attached to and made a part of this charter. The city clerk shall maintain a current map and
 36 written legal description of the corporate boundaries of the city, and such map and
 37 description shall incorporate any changes which may hereafter be made in such corporate
 38 boundaries.

39 SECTION 1.03.

40 Powers and construction.

41 (a) The city shall have all powers possible for a city to have under the present or future
 42 Constitution and laws of this state as fully and completely as though they were specifically
 43 enumerated in this Act. The city shall have all the powers of self-government not otherwise
 44 prohibited by this Act or by general law.

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

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

- 53 (2) Appropriations and expenditures. To make appropriations for the support of the
54 government of the city; to authorize the expenditure of money for any purposes
55 authorized by this Act and for any purpose for which a municipality is authorized by the
56 laws of the State of Georgia; and to provide for the payment of expenses of the city;
- 57 (3) Building regulation. To regulate and to license the erection and construction of
58 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas,
59 and heating and air conditioning codes; and to regulate all housing and building trades
60 to the extent permitted by general law;
- 61 (4) Business regulation and taxation. To levy and to provide for the collection of
62 regulatory fees and taxes on privileges, occupations, trades, and professions as authorized
63 by Title 48 of the O.C.G.A., or such other applicable laws as are or may hereafter be
64 enacted; to permit and regulate such fees and taxes; to provide for the manner and method
65 of payment of such regulatory fees and taxes; and to revoke such permits after due
66 process for failure to pay any city taxes or fees;
- 67 (5) Condemnation. To condemn property, inside or outside the corporate limits of the
68 city, for present or future use and for any corporate purpose deemed necessary by the city
69 council, utilizing procedures enumerated in Title 22 of the O.C.G.A., or such other
70 applicable laws as are or may hereafter be enacted;
- 71 (6) Contracts. To enter into contracts and agreements with other governmental entities
72 and with private persons, firms, and corporations;
- 73 (7) Emergencies. To establish procedures for determining and proclaiming that an
74 emergency situation exists within or outside the city, and to make and carry out all
75 reasonable provisions deemed necessary to deal with or meet such an emergency for the
76 protection, safety, health, or well-being of the citizens of the city;
- 77 (8) Environmental protection. To protect and preserve the natural resources,
78 environment, and vital areas of the city, this region, and this state through the
79 preservation and improvement of air quality, the restoration and maintenance of water
80 resources, the control of erosion and sedimentation, the management of storm water and
81 establishment of a storm-water utility, the management of solid and hazardous waste, and
82 other necessary actions for the protection of the environment;
- 83 (9) Ethics. To adopt ethics ordinances and regulations governing the conduct of
84 municipal elected officials, appointed officials, and employees, establishing procedures
85 for ethics complaints, and setting forth penalties for violations of such rules and
86 procedures;
- 87 (10) Fire regulations. To fix and establish fire limits and from time to time to extend,
88 enlarge, or restrict such limits; to prescribe fire safety regulations not inconsistent with

89 general law, relating to both fire prevention and detection and to fire fighting; and to
90 prescribe penalties and punishment for violations thereof;

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

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

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

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

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

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

115 (17) Municipal agencies and delegation of power. To create, alter, or abolish
116 departments, boards, offices, commissions, and agencies of the city, and to confer upon
117 such agencies the necessary and appropriate authority for carrying out all the powers
118 conferred upon or delegated to them;

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

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

- 125 (20) Municipal property protection. To provide for the preservation and protection of
126 property and equipment of the city and their administration and use by the public; and to
127 prescribe penalties and punishment for violations thereof;
- 128 (21) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose
129 of public utilities, including but not limited to a system of waterworks, sewers and drains,
130 sewage disposal, storm-water management, gas works, electric light plants, cable
131 television and other telecommunications, transportation facilities, public airports, and any
132 other public utility; to fix taxes, charges, rates, fares, fees, assessments, regulations, and
133 penalties; and to provide for the withdrawal of service for refusal or failure to pay them;
- 134 (22) Nuisance. To define a nuisance and provide for its abatement whether on public or
135 private property;
- 136 (23) Penalties. To provide penalties for violation of any ordinances adopted pursuant to
137 the authority of this Act and the laws of the State of Georgia;
- 138 (24) Planning and zoning. To provide comprehensive city planning for development by
139 zoning; and to provide subdivision regulation and the like as the city council deems
140 necessary and reasonable to ensure a safe, healthy, and esthetically pleasing community.
141 In order to facilitate community input in the planning process, the city shall be authorized
142 to create local advisory councils;
- 143 (25) Police and fire protection. To exercise the power of arrest through duly appointed
144 police officers; and to establish, operate, or contract for a police and a fire-fighting
145 agency;
- 146 (26) Public hazards: removal. To provide for the destruction and removal of any
147 building or other structure which is or may become dangerous or detrimental to the
148 public;
- 149 (27) Public improvements. To provide for the acquisition, construction, building,
150 operation, and maintenance of public ways, parks and playgrounds, recreational facilities,
151 cemeteries, public buildings, libraries, public housing, parking facilities, or charitable,
152 cultural, educational, recreational, conservation, sport, detentional, penal, and medical
153 institutions, agencies, and facilities; and to provide any other public improvements inside
154 or outside the corporate limits of the city and to regulate the use of public improvements;
155 and for such purposes, property may be acquired by condemnation under Title 22 of the
156 O.C.G.A., or such other applicable laws as are or may hereafter be enacted;
- 157 (28) Public peace. To provide for the prevention and punishment of loitering, disorderly
158 conduct, drunkenness, riots, and public disturbances;
- 159 (29) Public transportation. To organize and operate such public transportation systems
160 as are deemed beneficial;

- 161 (30) Public utilities and services. To grant franchises or make contracts for, or impose
162 taxes on, public utilities and public service companies; and to prescribe the rates, fares,
163 regulations, and standards and conditions of service applicable to the service to be
164 provided by the franchise grantee or contractor, insofar as not in conflict with valid
165 regulations of the Public Service Commission;
- 166 (31) Regulation of roadside areas. To prohibit or regulate and control the erection,
167 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any
168 and all other structures or obstructions upon or adjacent to the rights of way of streets and
169 roads or within view thereof within or abutting the corporate limits of the city; and to
170 prescribe penalties and punishment for violation of such ordinances;
- 171 (32) Retirement. To provide and maintain a retirement plan for officers and employees
172 of the city;
- 173 (33) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade
174 of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise
175 improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and
176 walkways within the corporate limits of the city; to grant franchises and rights of way
177 throughout the streets and roads and over the bridges and viaducts for the use of public
178 utilities; and to require real estate owners to repair and maintain in a safe condition the
179 sidewalks adjoining their lots or lands and to impose penalties for failure to do so;
- 180 (34) Sewer fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring,
181 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant
182 and sewerage system, and to levy on those to whom sewers and sewerage systems are
183 made available a sewer service fee, charge, or sewer tax for the availability or use of the
184 sewers; to provide for the manner and method of collecting and for enforcing payment
185 of such service charges; and to charge, impose, and collect a sewer connection fee or fees
186 to those connected with the system;
- 187 (35) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish,
188 and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by
189 others; and to provide for the separate collection of glass, tin, aluminum, cardboard,
190 paper, and other recyclable materials and to provide for the sale of such items;
- 191 (36) Special assessments. To levy and provide for the collection of special assessments
192 to cover the costs for any public improvements;
- 193 (37) Taxes: ad valorem. To levy and provide for the assessment, valuation, revaluation,
194 and collection of taxes on all property subject to taxation; provided, however, that, for all
195 years, the millage rate imposed for ad valorem taxes on real property shall not
196 exceed 13.469 unless a higher limit is recommended by resolution of the city council and
197 approved by the qualified voters of the City of South Fulton; provided, further, that, for

198 the purposes of compliance with Code Section 48-8-91 of the O.C.G.A., the millage rate
199 may be adjusted upward for the sole purpose of complying with the millage rate rollback
200 provisions set forth therein. For the purposes of this paragraph, the term "qualified
201 voters" means those voters of the city who are qualified to vote in city elections and cast
202 a vote for or against such measure in such referendum. The question to be presented to
203 the voters in the referendum on increasing the millage rate shall be "Do you approve
204 increasing taxes on residential and nonresidential property for City of South Fulton
205 property owners by raising from [current millage rate] to [proposed millage rate] the
206 operating budget millage rate, which was capped in the original charter for the city?" If
207 such millage rate increase is approved by the qualified voters of the City of South Fulton
208 voting in the referendum, the new rate shall become the maximum limit until changed
209 again by resolution of the city council and approval by a majority of the qualified voters
210 of the City of South Fulton voting in a referendum;

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

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

217 (40) Urban redevelopment. To organize and operate an urban redevelopment program;
218 and

219 (41) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,
220 and immunities necessary or desirable to promote or protect the safety, health, peace,
221 security, good order, comfort, convenience, or general welfare of the city and its
222 inhabitants; to exercise all implied powers necessary or desirable to carry into execution
223 all powers granted in this Act as fully and completely as if such powers were fully stated
224 herein; and to exercise all powers now or in the future authorized to be exercised by other
225 municipal governments under other laws of the State of Georgia; and any listing of
226 particular powers in this Act shall not be held to be exclusive of others or restrictive of
227 general words and phrases granting powers, but shall be held to be in addition to such
228 powers unless expressly prohibited to municipalities under the Constitution or applicable
229 laws of the State of Georgia.

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SECTION 1.04.

Exercise of powers.

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

ARTICLE II

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

SECTION 2.01.

City council creation; number; election.

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

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

(c) Each councilmember shall be elected by a majority vote of the qualified electors of his or her respective council district voting at the elections of the city. For the purpose of electing the seven councilmembers, there shall be seven council districts, designated Council Districts 1 through 7, as described in Appendix B of this Act and the accompanying Redistricting Plan Components Report, which are attached to and made a part of this charter. Each person desiring to offer as a candidate for councilmember shall designate the council district for which he or she is offering.

SECTION 2.02.

Mayor, president of city council, and city councilmembers; election, terms, and qualifications for office.

(a) Except as otherwise provided in subsection (c) of this section, the mayor, president of city council, and seven members of the city council shall serve for terms of four years and until their respective successors are elected and qualified. No person shall be eligible to serve as mayor, president of city council, or councilmember unless that person shall have been a resident of the area comprising the corporate limits of the City of South Fulton for a continuous period of at least 12 months immediately prior to the date of the election for

262 mayor, president of city council, or councilmember; shall continue to reside therein during
 263 that person's period of service; and shall continue to be registered and qualified to vote in
 264 municipal elections of the City of South Fulton. In addition to the above requirements, no
 265 person shall be eligible to serve as a councilmember representing a council district unless that
 266 person has been a resident of the district such person seeks to represent for a continuous
 267 period of at least 12 months immediately prior to the date of the election for councilmember
 268 and continues to reside in such district during that person's period of service.

269 (b) The first general municipal elections shall be held on the Tuesday next following the first
 270 Monday in November, 2015. Thereafter, general municipal elections shall be held on the
 271 Tuesday next following the first Monday in November in each odd-numbered year following
 272 the year in which such first municipal election is held.

273 (c) The first mayor, president of city council, and the initial councilmembers shall take
 274 office on the first day of January, 2016, following the first municipal election provided for
 275 in subsection (b) of this section. The mayor, president of city council, and councilmembers
 276 serving Council Districts 2, 4, and 6 shall serve initial terms of four years. The
 277 councilmembers serving Council Districts 1, 3, 5, and 7 shall serve initial terms of two years.
 278 Their successors shall be elected at the municipal election immediately preceding the
 279 expiration of their terms and shall take office on January 1 for terms of four years. No
 280 person shall serve as mayor for more than two consecutive terms, but a former mayor may
 281 again serve as mayor after the expiration of four years after leaving office.

282 **SECTION 2.03.**

283 President of the city council; appointment; duties.

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

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

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

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

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

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

296 (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.

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

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SECTION 2.05.

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Nonpartisan elections.

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

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SECTION 2.06.

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Election by majority vote.

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

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SECTION 2.07.

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Applicability of general laws; qualifying; other provisions.

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

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SECTION 2.08.

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Compensation and expenses.

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The annual salary of the mayor shall be \$70,000.00. The annual salary for each councilmember shall be \$17,500.00. The annual salary for the president of the city council shall be \$28,500.00. Such salaries shall be paid from municipal funds in equal monthly installments. The city council may provide by ordinance for the provision of insurance, retirement, workers' compensation, and other employee benefits to the mayor, president of city council, and members of the city council and may provide by ordinance for the reimbursement of expenses actually and necessarily incurred by the mayor, president of city council, and members of the city council in carrying out their official duties. The city council may alter the salaries of the mayor, president of the city council, and members of the city council from time to time in accordance with Code Section 36-35-4 of the O.C.G.A.

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SECTION 2.09.

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Inquiries and investigations.

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

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SECTION 2.10.

Meetings and oath of office.

(a) The city council shall meet on the first working day in January immediately following each regular municipal election. The meeting shall be called to order by the president-elect, and the oath of office shall be administered to the newly elected mayor, treasurer, chief city auditor, and councilmembers by a judicial officer authorized to administer oaths. The oath shall, to the extent that it comports with federal and state law, be as follows:

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

(b) The city council shall, at least once a month, hold regular meetings at such times and places as prescribed by ordinance. The city council may recess any regular meeting and continue such meeting on any weekday or hour it may fix and may transact any business at such continued meeting as may be transacted at any regular meeting.

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

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SECTION 2.11.

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Quorum; voting.

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

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SECTION 2.12.

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General power and authority of the city council.

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

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

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

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SECTION 2.13.

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Administrative and service departments.

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

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

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SECTION 2.14.

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Boards, commissions, and authorities.

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

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

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

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

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

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

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

460 **SECTION 2.15.**

461 Ordinance form; procedures.

462 Every proposed ordinance and resolution shall be introduced in writing, and the city council
 463 shall have the authority to approve, disapprove, or amend them. A resolution may be passed
 464 at the time it is offered, but an ordinance shall not be adopted until the title of such ordinance
 465 shall have been read at two city council meetings, provided that the beginnings of such
 466 meetings shall be not less than 24 hours nor more than 60 days apart. This requirement of
 467 two readings shall not apply to emergency ordinances or to ordinances adopted at the first
 468 business meeting of the city council in a calendar year.

469 **SECTION 2.16.**

470 Submission of ordinances to the mayor.

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

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

479 (c) An action vetoed by the mayor shall automatically be placed on the agenda at the next
 480 regular meeting of the city council for reconsideration. If the minimum number of
 481 councilmembers necessary to vote on overriding the veto is not present, the action may be
 482 continued until the next meeting at which the minimum number of councilmembers is

483 present. Such action shall not become effective unless it is readopted by the affirmative
484 votes of at least five members of the city council within 60 days of the veto.

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

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

493 ARTICLE III

494 EXECUTIVE BRANCH

495 SECTION 3.01.

496 Executive powers and duties of the mayor.

497 (a) The mayor shall be the chief executive officer of the city government and shall be
498 responsible for the efficient and orderly administration of the city's affairs. The mayor shall
499 be responsible for the enforcement of laws, rules, regulations, ordinances, and franchises in
500 the city. The mayor may conduct inquiries and investigations into the conduct of the city's
501 affairs and shall have such powers and duties as specified in this Act or as may be provided
502 by ordinance consistent with this Act.

503 (b) The mayor shall:

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

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

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

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

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

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

- 518 (7) Remove employees employed by such officer without the consent of the city council;
519 provided, however, that department heads may be removed only with the consent of the
520 city council;
- 521 (8) Exercise supervision and control of all departments and all divisions created in this
522 Act or that may hereafter be created by the city council except as otherwise provided in
523 this Act;
- 524 (9) Recommend to the city council the adoption of such measures as the mayor may
525 deem necessary or expedient;
- 526 (10) See that all terms and conditions imposed in favor of the city or its inhabitants in
527 any public utility franchise are faithfully kept and performed and upon knowledge of any
528 violation thereof to call such violations to the attention of the city attorney, whose duty
529 it shall be forthwith to take such steps as are necessary to protect and enforce the same;
- 530 (11) Make and execute all lawful contracts on behalf of the city as to matters within such
531 officer's jurisdiction to the extent that such contracts are funded in the city's budget,
532 except such as may be otherwise provided by law; provided, however, that no contract
533 purchase or obligation requiring a budget amendment shall be valid and binding until
534 after approval of the city council;
- 535 (12) Prepare and submit to the city council, prior to the beginning of each fiscal year, a
536 budget of proposed expenditures for the ensuing year, showing in as much detail as
537 practicable the amounts allotted to each department of the city government and the
538 reasons for such estimated expenditures;
- 539 (13) Keep the city council at all times fully advised as to the financial condition and
540 needs of the city;
- 541 (14) Make a full written report to the city council on the first of each month, unless
542 otherwise directed by the city council, showing the operations and expenditures of each
543 department of the city government for the preceding month, and a synopsis of such
544 reports shall be published by the clerk of the city;
- 545 (15) Fix all salaries and compensation of city employees in accordance with the city
546 budget and the city pay and classification plan; and
- 547 (16) Fulfill and perform such other duties as are imposed by this Act and by duly
548 adopted ordinances.

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551**SECTION 3.02.**

Chief administrative officer; appointment, qualification,
and compensation.

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

559
560**SECTION 3.03.**

Chief administrative officer.

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

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569**SECTION 3.04.**

Chief administrative officer; removal.

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

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

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

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

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

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

596 **SECTION 3.05.**

597 Council interference with administration.

598 Except for the purpose of inquiries and investigations under Section 2.09 of this Act, the city
 599 council or its members shall deal with city officers and employees who are subject to the
 600 direction or supervision of the mayor or chief administrative officer solely through the
 601 department heads, and neither the city council nor its members shall give orders to any such
 602 officer or employee, either publicly or privately.

603 **SECTION 3.06.**

604 City attorney.

605 The mayor shall nominate and the city council shall confirm by majority vote of the city
 606 council a city attorney, together with such assistant city attorneys as may be deemed
 607 appropriate, and shall provide for the payment of such attorney or attorneys for services
 608 rendered to the city. The city attorney shall be responsible for representing and defending
 609 the city in all litigation in which the city is a party; may be the prosecuting officer in the
 610 municipal court; shall attend the meetings of the city council as directed; shall advise the city
 611 council, mayor, other officers, and employees of the city concerning legal aspects of the
 612 city's affairs; and shall perform such other duties as may be required by virtue of his or her

613 position as city attorney. The city attorney shall review all contracts of the city but shall not
614 have the power to bind the city.

615 **SECTION 3.07.**

616 City clerk.

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

623 **SECTION 3.08.**

624 City treasurer.

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

630 (b) The city treasurer shall be responsible for the collection, receipt, care, and custody of all
631 taxes and other moneys due the city, except as otherwise provided by law. The city treasurer
632 shall be responsible to deposit all moneys received in the manner set forth in state law. The
633 city treasurer shall be responsible, upon authorization by warrant of the chief city auditor, as
634 the case may be, for payment of all vouchers, claims, payroll, and other authorized
635 disbursements. The city treasurer shall perform such other services as authorized by state
636 law, and as otherwise conferred by a resolution, ordinance, or local law duly enacted by the
637 city council, not inconsistent with state law.

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

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

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646**SECTION 3.09.**

Office of Audit and Control.

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

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

655
656**SECTION 3.10.**

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.

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664**SECTION 3.11.**

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.

671 ARTICLE IV
672 MUNICIPAL COURT
673 **SECTION 4.01.**
674 Creation.

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

689 **SECTION 4.02.**
690 Judge.

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

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

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

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

- 706 (1) Willful misconduct in office;
- 707 (2) Willful and persistent failure to perform duties;
- 708 (3) Habitual intemperance;
- 709 (4) Conduct prejudicial to the administration of justice which brings the judicial office
 710 into disrepute; or
- 711 (5) Disability seriously interfering with the performance of duties, which is, or is likely
 712 to become, of a permanent character.

713 **SECTION 4.03.**

714 Convening.

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

717 **SECTION 4.04.**

718 Jurisdiction; powers.

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

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

726 (c) The municipal court shall have authority to establish bail and recognizances to ensure
 727 the presence of those charged with violations before such court and shall have discretionary
 728 authority to accept cash or personal or real property as security for appearances of persons
 729 charged with violations. Whenever any person shall give bail for his or her appearance and
 730 shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge
 731 presiding at such time and an execution issued thereon by serving the defendant and his or
 732 her sureties with a rule nisi at least two days before a hearing on the rule nisi. In the event
 733 that cash or property is accepted in lieu of bond for security for the appearance of a defendant
 734 at trial, and if such defendant fails to appear at the time and place fixed for trial, the cash so

735 deposited shall be on order of the judge declared forfeited to the City of South Fulton, or the
736 property so deposited shall have a lien against it for the value forfeited.

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

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

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

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

747 **SECTION 4.05.**

748 Certiorari.

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

753 **SECTION 4.06.**

754 Rules for court.

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

758 **ARTICLE V**

759 **FINANCE AND FISCAL**

760 **SECTION 5.01.**

761 Fiscal year.

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

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SECTION 5.02.

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Preparation of budgets.

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

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SECTION 5.03.

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Submission of operating budget to city council.

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

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SECTION 5.04.

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Action by city council on budget.

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

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SECTION 5.05.

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Audits.

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(a) There shall be an annual independent audit of all city accounts, funds, and financial transactions by a certified public accountant selected by the city council and supervised by the chief city auditor. The audit shall be conducted according to generally accepted accounting principles. Any audit of any funds by the state or federal government may be

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796 accepted as satisfying the requirements of this Act. Copies of all audit reports shall be
797 available at printing cost to the public.

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

800 **SECTION 5.06.**

801 General homestead exemption.

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

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

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

808 (b) Each resident of the City of South Fulton is granted an exemption on that person's
809 homestead from City of South Fulton ad valorem taxes for municipal purposes in the amount
810 of \$30,000.00 of the assessed value of that homestead. The value of that property in excess
811 of such exempted amount shall remain subject to taxation.

812 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
813 section unless the person or person's agent files an application with the governing authority
814 of the City of South Fulton, or the designee thereof, giving such information relative to
815 receiving such exemption as will enable the governing authority of the City of South Fulton,
816 or the designee thereof, to make a determination regarding the initial and continuing
817 eligibility of such owner for such exemption. The governing authority of the City of South
818 Fulton, or the designee thereof, shall provide application forms for this purpose.

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

828 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state
829 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent
830 school district ad valorem taxes for educational purposes. The homestead exemption granted

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

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

835 **SECTION 5.07.**

836 General homestead exemption for citizens age 65 or over.

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

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

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

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

846 (b) Each resident of the City of South Fulton who is a senior citizen is granted an exemption
 847 on that person's homestead from City of South Fulton ad valorem taxes for municipal
 848 purposes in the amount of \$15,000.00 of the assessed value of that homestead. The value of
 849 that property in excess of such exempted amount shall remain subject to taxation.

850 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
 851 section unless the person or person's agent files an application with the governing authority
 852 of the City of South Fulton, or the designee thereof, giving the person's age and such
 853 additional information relative to receiving such exemption as will enable the governing
 854 authority of the City of South Fulton, or the designee thereof, to make a determination
 855 regarding the initial and continuing eligibility of such owner for such exemption. The
 856 governing authority of the City of South Fulton, or the designee thereof, shall provide
 857 application forms for this purpose.

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

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

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

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

874 **SECTION 5.08.**

875 Homestead exemption for citizens age 65 or over
 876 meeting certain income requirements.

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

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

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

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

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

894 (b) Each resident of the City of South Fulton who is a senior citizen is granted an exemption
 895 on that person's homestead from City of South Fulton ad valorem taxes for municipal
 896 purposes in the amount of \$10,000.00 of the assessed value of that homestead. The
 897 exemption granted by this subsection shall only be granted if that person's income, together
 898 with the income of the spouse who also occupies and resides at such homestead, does not
 899 exceed the maximum amount which may be received by an individual and an individual's

900 spouse under the federal Social Security Act for the immediately preceding year. The value
 901 of that property in excess of such exempted amount shall remain subject to taxation.

902 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
 903 section unless the person or person's agent files an application with the governing authority
 904 of the City of South Fulton, or the designee thereof, giving the person's age, income, and
 905 such additional information relative to receiving such exemption as will enable the governing
 906 authority of the City of South Fulton, or the designee thereof, to make a determination
 907 regarding the initial and continuing eligibility of such owner for such exemption. The
 908 governing authority of the City of South Fulton, or the designee thereof, shall provide
 909 application forms for this purpose.

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

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

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

926 **SECTION 5.09.**

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

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

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

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

936 (3) "Income" means adjusted gross income determined pursuant to the Internal Revenue
 937 Code of 1986, as amended, for federal income tax purposes, except that for the purposes
 938 of this section the term shall include only that portion of income or benefits received as
 939 retirement, survivor, or disability benefits under the federal Social Security Act or under
 940 any other public or private retirement, disability, or pension system which exceeds the
 941 maximum amount which may be received by an individual and an individual's spouse
 942 under the federal Social Security Act.

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

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

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

961 (2) A person shall not receive the homestead exemption granted by subsection (b) of this
 962 section unless the person or person's agent files an application with the governing
 963 authority of the City of South Fulton, or the designee thereof, giving the person's age,
 964 income, and such additional information relative to receiving such exemption as will
 965 enable the governing authority of the City of South Fulton, or the designee thereof, to
 966 make a determination regarding the initial and continuing eligibility of such owner for
 967 such exemption. The governing authority of the City of South Fulton, or the designee
 968 thereof, shall provide application forms for this purpose.

969 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
 970 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year

971 so long as the owner occupies the residence as a homestead. After a person has filed the
 972 proper application, as provided in subsection (c) of this section, it shall not be necessary to
 973 make application thereafter for any year and the exemption shall continue to be allowed to
 974 such person. It shall be the duty of any person granted the homestead exemption under
 975 subsection (b) of this section to notify the governing authority of the City of South Fulton,
 976 or the designee thereof, in the event that person for any reason becomes ineligible for that
 977 exemption.

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

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

985 **ARTICLE VI**

986 **GENERAL PROVISIONS**

987 **SECTION 6.01.**

988 **Referendum and initial election.**

989 (a) The election superintendent of Fulton County shall call a special election for the purpose
 990 of submitting this Act to the qualified voters of the proposed City of South Fulton for
 991 approval or rejection. The superintendent shall set the date of such election for the third
 992 Tuesday in March, 2015. The superintendent shall issue the call for such election at least 30
 993 days prior to the date thereof. The superintendent shall cause the date and purpose of the
 994 election to be published once a week for two weeks immediately preceding the date thereof
 995 in the official organ of Fulton County. The ballot shall have written or printed thereon the
 996 words:

997 " YES Shall the Act incorporating the City of South Fulton in Fulton County and
 998 NO granting the homestead exemptions described therein be approved?"

999 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
 1000 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
 1001 cast on such question are for approval of the Act, it shall become of full force and effect as
 1002 provided in Section 6.02 of this Act; otherwise, this Act shall not take effect and shall be
 1003 void and of no force and effect. The initial expense of such election shall be borne by Fulton
 1004 County. Within two years after the election if the incorporation is approved, the City of
 1005 South Fulton shall reimburse Fulton County for the actual cost of printing and personnel

1006 services for such election and for the initial election of the mayor, president of city council,
 1007 and members of the city council pursuant to subsection (b) of Section 2.02 of this Act. It
 1008 shall be the duty of the superintendent to hold and conduct such election. It shall be his or
 1009 her further duty to certify the result thereof to the Secretary of State.

1010 (b) For the purposes of the referendum election provided for in this section and for the
 1011 purposes of the election to be held on the Tuesday next following the first Monday in
 1012 November, 2015, the qualified electors of the City of South Fulton shall be those qualified
 1013 electors of Fulton County residing within the corporate limits of the City of South Fulton as
 1014 described by Appendix A of this Act. At subsequent municipal elections, the qualified
 1015 electors of the City of South Fulton shall be determined pursuant to the authority of
 1016 Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

1017 (c) Only for the purposes of holding and conducting the referendum election provided for
 1018 by this section and holding and conducting the election of the mayor, president of city
 1019 council, and city councilmembers of the City of South Fulton to be held on the Tuesday next
 1020 following the first Monday in November, 2015, the election superintendent of Fulton County
 1021 is vested with the powers and duties of the election superintendent of the City of South
 1022 Fulton and the powers and duties of the governing authority of the City of South Fulton.

1023 **SECTION 6.02.**

1024 Effective dates.

1025 (a) This Act shall become effective upon its approval by the Governor or upon its becoming
 1026 law without such approval; provided, however, that the provisions of this Act necessary for
 1027 the election to be held on the next special election date permissible pursuant to the provisions
 1028 of Code Section 21-2-540 of the O.C.G.A. following the date of the approval of this Act as
 1029 provided for by Section 6.01 of this Act shall be effective upon the certification of the results
 1030 of such referendum election.

1031 (b) A period of time will be needed for an orderly transition of various government functions
 1032 from Fulton County to the City of South Fulton. Accordingly, there shall be a transition
 1033 period beginning on July 1, 2015, and ending at midnight of the last day of the twenty-fourth
 1034 month following such date. During such transition period, all provisions of this Act shall be
 1035 effective as law, but not all provisions of this Act shall be implemented.

1036 (c) During such transition period, Fulton County shall continue to provide within the
 1037 territorial limits of the City of South Fulton all government services and functions which
 1038 Fulton County provided in that area as of the date of enactment of this Act, except to the
 1039 extent otherwise provided in this section; provided, however, that by agreement of Fulton
 1040 County and the City of South Fulton, responsibility for any such service or function may be

1041 transferred to the City of South Fulton at such time as may be agreed upon by the parties.
 1042 Beginning on January 1, 2016, the City of South Fulton shall collect taxes, fees, assessments,
 1043 fines and forfeitures, and other moneys within the territorial limits of the City of South
 1044 Fulton; provided, however, that upon at least 30 days' prior written notice to Fulton County
 1045 by the City of South Fulton, the authority to collect any tax, fee, assessment, fine, forfeiture,
 1046 or other moneys shall remain with Fulton County after January 1, 2016, until such time as
 1047 Fulton County receives subsequent notice from the City of South Fulton that such authority
 1048 shall be transferred to the City of South Fulton. Where a particular tax, fee, assessment, fine,
 1049 forfeiture, or other amount collected is specifically related to the provision of a particular
 1050 government service or function by Fulton County, the service or function shall continue to
 1051 be provided by the county contingent upon payment by the city of the actual cost of
 1052 providing such service or function unless otherwise provided in a written agreement between
 1053 the city and the county. Any existing contract for the performance of a governmental service
 1054 with a private person residing or doing business within the city limits shall not be altered or
 1055 adversely affected by the establishment of this Act of the City of South Fulton.

1056 (d) During the transition period, the governing authority of the City of South Fulton:

- 1057 (1) Shall hold regular meetings and may hold special meetings as provided in this Act;
- 1058 (2) May enact ordinances and resolutions as provided in this Act;
- 1059 (3) May amend this Act by home rule action as provided by general law;
- 1060 (4) May accept gifts and grants;
- 1061 (5) May borrow money and incur indebtedness to the extent authorized by this Act and
 1062 general law;
- 1063 (6) May levy and collect an ad valorem tax for the calendar year next following the first
 1064 municipal election;
- 1065 (7) May establish a fiscal year and budget;
- 1066 (8) May create, alter, or abolish departments, boards, offices, commissions, and agencies
 1067 of the city; appoint and remove officers and employees; and exercise all necessary or
 1068 appropriate personnel and management functions; and
- 1069 (9) May generally exercise any power granted by this Act or general law, except to the
 1070 extent that a power is specifically and integrally related to the provision of a
 1071 governmental service, function, or responsibility not yet provided or carried out by the
 1072 city.

1073 (e) During the transition period, the Municipal Court of the City of South Fulton shall
 1074 exercise its jurisdiction to the extent appropriate with respect to the government services and
 1075 functions performed by the City of South Fulton and the appropriate court or courts of Fulton
 1076 County shall retain jurisdiction over the area incorporated as the City of South Fulton with
 1077 respect to government services and functions performed by Fulton County. Any transfer of

jurisdiction to the City of South Fulton at the beginning of, during, at the end of, or after the transition period shall not in and of itself abate any judicial proceeding pending in Fulton County or the pending prosecution of any violation of any ordinance of Fulton County.

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

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

SECTION 6.03.

Catchlines.

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

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

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

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

SECTION 6.04.

Directory nature of dates.

If it is necessary to delay any action called for in this Act for providential cause or any other reason, it is the intention of the General Assembly that the action be delayed rather than abandoned. Any delay in performing any action under this Act, whether for cause or otherwise, shall not operate to frustrate the overall intent of this Act. Without limiting the generality of the foregoing, it is specifically provided that:

1111 (1) If it is not possible to hold the referendum election provided for in Section 6.01 of
 1112 this Act on the date specified in that section, then such referendum shall be held as soon
 1113 after such date as is reasonably practicable; and
 1114 (2) If it is not possible to hold the first regular municipal election provided for in
 1115 Section 2.02 of this Act on the date specified in that section, then there shall be a special
 1116 election for the initial members of the governing authority to be held as soon thereafter
 1117 as is reasonably practicable, and the commencement of the initial terms of office shall be
 1118 delayed accordingly.

1119 **SECTION 6.05.**

1120 Severability.

1121 In the event any section, subsection, sentence, clause, or phrase of this Act shall be
 1122 declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect
 1123 the other sections, subsections, sentences, clauses, or phrases of this Act, which shall remain
 1124 of full force and effect, as if the section, subsection, sentence, clause, or phrase so declared
 1125 or adjudged invalid or unconstitutional were not originally a part hereof. The General
 1126 Assembly hereby declares that it would have passed the remaining parts of this Act if it had
 1127 known that such part or parts hereof would be declared or adjudged invalid or
 1128 unconstitutional.

1129 **SECTION 6.06.**

1130 Repealer.

1131 All laws and parts of laws in conflict with this Act are repealed.

1132 **APPENDIX A**

1133 The City of South Fulton shall include all the territory embraced within the following census
 1134 blocks based upon the 2010 United States decennial census:

1135 Fulton County

1136 VTD: 12109B - 09B

1137 008202:

1138 4002

1139 VTD: 12111E4 - 11E4

1140 007706:

1141 2028

1142 VTD: 121CP08B - CP08B
 1143 010511:
 1144 2004
 1145 VTD: 121EP08A - EP08A
 1146 011305:
 1147 3015 3017
 1148 011306:
 1149 1031 2008 2018 2021
 1150 VTD: 121FA01A - FA01A
 1151 010400:
 1152 3064 3066 3078 3079 3087 3099
 1153 010514:
 1154 2051 2078 2086 2100 2101 2102
 1155 VTD: 121FA01B - FA01B
 1156 010510:
 1157 3126
 1158 VTD: 121SC01 - SC01
 1159 VTD: 121SC02 - SC02
 1160 VTD: 121SC04 - SC04
 1161 VTD: 121SC05 - SC05
 1162 VTD: 121SC07 - SC07
 1163 010304:
 1164 2087 2103 2105 2106 2107 2108 2109 2112
 1165 010400:
 1166 3000 3003 3005 3006 3008 3009 3011 3012 3013 3014 3017 3019
 1167 3021 3028 3029 3042 3043 3053 3054 3065 3080
 1168 010513:
 1169 1021 1022 1043 1044 1045 1048 1049 1050 1051 1052 1055 1060
 1170 1061 1062 1078 1098 1119 2022 2024 2029 2030 2056 3045
 1171 010514:
 1172 1002 1003 1004 1005 1006 1012 1013 1014 1017 1019 1021 1022
 1173 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034
 1174 1036 1037 1043 1044 1046 1051 1054 1055 1056 1057 1059 1061
 1175 1062 1063 1065 1066 1067 1073 1087 1088 1089 2000 2002 2003
 1176 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015
 1177 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2028
 1178 2029 2030 2031 2032 2033 2034 2035 2038 2040 2043 2044 2045

1179 2046 2054 2055 2057 2059 2060 2061 2068 2071 2072 2073 2074
 1180 2075 2076 2077 2080 2085 2087 2091 2094 2098 2108 2109 2110
 1181 2111 3055 3056 3079 3080
 1182 VTD: 121SC08 - SC08
 1183 010507:
 1184 3066
 1185 010510:
 1186 2003 4000 4001 4009
 1187 010511:
 1188 1033 1034 1035 1036 1037 1038 1039 1040 1041 1043 1045 1046
 1189 1047 1048 1049 1061 1062 2005 2006 2008 2009 2010 2011 2012
 1190 2013 2014 2015 2017 2018 2019 2020 2021 2024 2027 2028 2029
 1191 2030 2031 2032 2033 2034 2036 2037 2038 2039 2040 2041 2042
 1192 2043 2044 2045 2046 2047 2051 2052 2053 2054 2055 2056 2058
 1193 2062 2064 3000 3001 3002 3003 3004 3005 3008 3011 3012 3013
 1194 3014 3015
 1195 010512:
 1196 1002 1003 1004 1005 1006 1007 1008 1016 1017 1024 1025 2001
 1197 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2015
 1198 2019 2020 2035 2036
 1199 010513:
 1200 1007 1008 1063 1064 1069 1070 1071 1073 1074 1075 1077 1087
 1201 1088 1089 1094 1096 1097 1102 1105 1109 1110
 1202 VTD: 121SC09 - SC09
 1203 VTD: 121SC10 - SC10

 1204 010507:
 1205 1006 1008 2001 2002 2003 2004 2005 2006 2007 3037 3055 3056
 1206 3057 3059 3060 3067 3068
 1207 010511:
 1208 2066
 1209 VTD: 121SC11 - SC11
 1210 VTD: 121SC13A - SC13A
 1211 VTD: 121SC13B - SC13B
 1212 010301:
 1213 1016 1017 1018 1026 1027 1028 1029 1030 1031 1032 1049 1050
 1214 1051 1052 1053 1056 1057 1058 1062 1063 1064 1065 1066 1067

1215 1068 1083 1084 1085 1086 1087 1088 1089 1090 1091 1092 1093
 1216 1097 1098 1099 1100 1101 1102 1103 1104 1105 1106 1110 1115
 1217 1116 1119 1123 1137
 1218 VTD: 121SC14 - SC14
 1219 VTD: 121SC16A - SC16A
 1220 VTD: 121SC16B - SC16B
 1221 VTD: 121SC17 - SC17
 1222 010511:
 1223 1019 1020 1021 1022 1023 1027 1028 1029 1032 1050 1051 1052
 1224 1053 1054 1055 1056 1057 1058 1059 1063 1064 1065 1066
 1225 010513:
 1226 1001 1005 1016 1030 1031 1032 1037 1038 1039 1041 1042 1103
 1227 1104 1106 1107 1117
 1228 VTD: 121SC18 - SC18
 1229 007706:
 1230 2007 2014 2017 2018 2019 2020 2021 2023 2029
 1231 010304:
 1232 1015 1016 1017 1018 1019 1020 1021 1023 1024 1025 1026 1027
 1233 1030 1031 1032 1033 1034 1035 1036 2000 2001 2004 2011 2012
 1234 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024
 1235 2025 2026 2041 2042 2043 2044 2045 2072 2073 2075 2078 2081
 1236 2092 2093 2115
 1237 VTD: 121SC19 - SC19
 1238 010507:
 1239 3002 3004 3005 3006 3007 3008 3009 3010 3011 3017 3020 3021
 1240 3022
 1241 010511:
 1242 1012 1013 1015 1016 1018 1024 1025 1026 1030 1031 1067
 1243 010604:
 1244 3011 3012 3013 3015 3016
 1245 011305:
 1246 3018 3019 3020 3021
 1247 011306:
 1248 1011 1012 1032 1033 1034 1036 1038 1039 1040 2019 2020 2025
 1249 2028 2029 2030 2031 2032 2033 2035 2036 2037 2038 2039
 1250 VTD: 121SC21 - SC21
 1251 010510:

1252 2019 2020 2021 3002 3010 3011 3012 3013 3015 3016 3017 3026
 1253 3027 3028 3029 3031 3034 3036 3037 3038 3039 3042 3043 3044
 1254 3045 3046 3047 3048 3049 3050 3051 3052 3053 3054 3055 3064
 1255 3066 3067 3068 3069 3070 3071 3072 3073 3074 3075 3076 3077
 1256 3078 3079 3080 3082 3083 3085 3086 3087 3088 3089 3091 3096
 1257 3102 3103 3104 3105 3106 3107 3108 3109 3110 3112 3114 3115
 1258 3116 3127 3174 3186 3187 3188 3189 3190 3192 3214 3215 3216
 1259 3217 3220 3221 3222
 1260 010513:
 1261 2036
 1262 010515:
 1263 1022 1023 1024 1025 1036 1037 1038 1039 1040 1041 1042 1046
 1264 1048
 1265 VTD: 121SC23 - SC23
 1266 VTD: 121SC27 - SC27
 1267 VTD: 121SC29 - SC29
 1268 VTD: 121SC30 - SC30
 1269 007703:
 1270 3000 3001 3002 3003 3016
 1271 007704:
 1272 3005 3006
 1273 007802:
 1274 1000 1001 1002 1003 1004 1006 1016 1018 1025 1027 1028 4012
 1275 007806:
 1276 2002 2020 2021 2022 2023 2024

 1277 007900:
 1278 3017 3018 3019 3038 3042 3051 3052 3058
 1279 VTD: 121UC02 - UC02
 1280 010510:
 1281 3014
 1282 010513:
 1283 2037 2057
 1284 VTD: 121UC03A - UC03A
 1285 010510:
 1286 3008

1287

APPENDIX B

1288 Plan: SF-7dp1
 1289 Plan Type: Local
 1290 Administrator: HD61
 1291 User: bak

1292 District 001
 1293 Fulton County
 1294 VTD: 12109B - 09B
 1295 008202:
 1296 4002
 1297 VTD: 121SC01 - SC01
 1298 007802:
 1299 2017
 1300 010303:
 1301 1000 1001 1002 1003 1004 1014 1015 1016 1017 1018 1019 1020
 1302 1040 1041 1043 2049 2050 2051 2053 2054 2055 2056 2057 2058
 1303 2059 2060 2061 2062 2063 2064 2065 2070 2081
 1304 010304:
 1305 1000 1001 1002 1003 1004
 1306 VTD: 121SC02 - SC02
 1307 VTD: 121SC14 - SC14
 1308 VTD: 121SC16A - SC16A
 1309 VTD: 121SC16B - SC16B
 1310 VTD: 121SC30 - SC30
 1311 007703:
 1312 3000 3001 3002 3003 3016
 1313 007704:
 1314 3005 3006
 1315 007802:
 1316 1000 1001 1002 1003 1004 1006 1016 1018 1025 1027 1028 4012
 1317 007806:
 1318 2002 2020 2021 2022 2023 2024
 1319 007900:
 1320 3017 3018 3019 3038 3042 3051 3052 3058

1321 District 002
 1322 Fulton County
 1323 VTD: 12111E4 - 11E4
 1324 007706:
 1325 2028
 1326 VTD: 121SC01 - SC01
 1327 010303:
 1328 1048 1049 1050 1051
 1329 010304:
 1330 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1022 1028
 1331 1029
 1332 VTD: 121SC13A - SC13A
 1333 VTD: 121SC18 - SC18
 1334 007706:
 1335 2007 2014 2017 2018 2019 2020 2021 2023 2029
 1336 010304:
 1337 1015 1016 1017 1018 1019 1020 1021 1023 1024 1025 1026 1027
 1338 1030 1031 1032 1033 1034 1035 1036 2000 2001 2016 2017 2018
 1339 2019 2020 2021 2022 2023 2024 2025 2026

1340 District 003
 1341 Fulton County
 1342 VTD: 121EP08A - EP08A
 1343 011305:
 1344 3015 3017

1345 011306:
 1346 1031 2008 2018 2021
 1347 VTD: 121SC05 - SC05
 1348 010301:
 1349 1095 2034 2035 2038 2039 2040 2042 2043 2044 2045 2046 2047
 1350 2048 2049
 1351 010304:
 1352 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038
 1353 2039 2040 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055
 1354 2056 2057 2060 2061 2063 2064 2065 2066 2067 2068 2069 2070
 1355 2071 2083 2085 2089 2090 2091 2094 2095 2096 2097 2098 2099

1356 2100 2101 2114
 1357 010513:
 1358 1009 1025 1026
 1359 010514:
 1360 1000
 1361 VTD: 121SC08 - SC08
 1362 010513:
 1363 1007 1008 1063 1064 1069 1070 1073 1074 1075 1087 1088 1089
 1364 1094 1102 1110
 1365 VTD: 121SC17 - SC17
 1366 010511:
 1367 1019 1020 1021 1022 1023 1027 1028 1029 1032 1050 1051 1052
 1368 1053 1054 1055 1056 1057 1058 1059 1063 1064 1065 1066
 1369 010513:
 1370 1001 1005 1016 1030 1031 1032 1037 1038 1039 1041 1042 1103
 1371 1104 1106 1107 1117
 1372 VTD: 121SC18 - SC18
 1373 010304:
 1374 2004 2011 2012 2013 2014 2015 2041 2042 2043 2044 2045 2072
 1375 2073 2075 2078 2081 2092 2093 2115
 1376 VTD: 121SC19 - SC19
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 1383 011306:
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 1386 District 004
 1387 Fulton County
 1388 VTD: 121FA01A - FA01A
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1391 010514:
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 1418 2111
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 1420 010513:
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 1422 VTD: 121SC13B - SC13B
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1428 1116 1119 1123 1137

1429 District 005

1430 Fulton County

1431 VTD: 121CP08B - CP08B

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1433 2004

1434 VTD: 121SC08 - SC08

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1436 3066

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1438 2003 4000 4001 4009

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1442 2013 2014 2015 2017 2018 2019 2020 2021 2024 2027 2028 2029

1443 2030 2031 2032 2033 2034 2036 2037 2038 2039 2040 2041 2042

1444 2043 2044 2045 2046 2047 2051 2052 2053 2054 2055 2056 2058

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1446 3014 3015

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1450 2019 2020 2035 2036

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1453 VTD: 121SC09 - SC09

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1471 District 006
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 1478 VTD: 121SC23 - SC23
 1479 010516:
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1484 District 007
 1485 Fulton County
 1486 VTD: 121FA01B - FA01B

1487 010510:
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 1489 VTD: 121SC07 - SC07
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1503 3217 3220 3221 3222
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1506 010515:
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1512 010515:
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1514 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1028 1044
1515 1045
1516 010516:
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1518 VTD: 121SC29 - SC29
1519 VTD: 121UC02 - UC02
1520 010510:
1521 3014
1522 010513:
1523 2037 2057
1524 VTD: 121UC03A - UC03A
1525 010510:
1526 3008

1527 APPENDIX C

1528 CERTIFICATE AS TO MINIMUM STANDARDS
1529 FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

1530 I, Representative Roger Bruce, Georgia State Representative from the 61st District and the
1531 author of this bill introduced at the 2015 session of the General Assembly of Georgia, which

1532 grants an original municipal charter to the City of South Fulton, do hereby certify that this
1533 bill is in compliance with the minimum standards required by Chapter 31 of Title 36 of the
1534 O.C.G.A. in that the area embraced within the original incorporation in this bill is in all
1535 respects in compliance with the minimum standards required by Chapter 31 of Title 36 of the
1536 O.C.G.A. This certificate is executed to conform to the requirements of Code
1537 Section 36-31-5 of the O.C.G.A.

1538 So certified this _____ day of _____, _____.

1539 Honorable Roger Bruce
1540 Representative, 61st District
1541 Georgia State House of Representatives