

House Bill 466

By: Representatives Williams of the 83rd and Unterman of the 84th

A BILL TO BE ENTITLED
AN ACT

1 To provide a new charter for the City of Snellville; to provide for incorporation, boundaries,
2 and powers of the city; to provide for a governing authority of such city and the powers,
3 duties, authority, election, terms, method of filling vacancies, compensation, qualifications,
4 prohibitions, and removal from office relative to members of such governing authority; to
5 provide for inquiries and investigations; to provide for organization and procedures; to
6 provide for ordinances and codes; to provide for the office of mayor and certain duties and
7 powers relative to the office of mayor; to provide for administrative responsibilities; to
8 provide for boards, commissions, and authorities; to provide for a city attorney, a city clerk,
9 a city treasurer, and other personnel; to provide for rules and regulations; to provide for a
10 municipal court and the judge or judges thereof; to provide for practices and procedures; to
11 provide for taxation and fees; to provide for franchises, service charges, and assessments; to
12 provide for bonded and other indebtedness; to provide for accounting and budgeting; to
13 provide for purchases; to provide for the sale of property; to provide for bonds for officials;
14 to provide for eminent domain; to provide for penalties; to provide for definitions and
15 construction; to provide for other matters relative to the foregoing; to provide for
16 severability; to repeal a specific Act; to provide for an effective date; to repeal conflicting
17 laws; and for other purposes.

18 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

19 **ARTICLE I**
20 **INCORPORATION AND POWERS**
21 **SECTION 1.10.**
22 **Name.**

23 This city and the inhabitants thereof are hereby constituted and declared a body politic and
24 corporate under the name and style City of Snellville, Georgia, and by that name shall have
25 perpetual succession.

1 destruction of animals and fowl when not redeemed as provided by ordinance; and to
2 provide punishment for violation of ordinances enacted hereunder;

3 (3) *Appropriations and expenditures.* To make appropriations for the support of the
4 government of the city; to authorize the expenditure of money for any purposes
5 authorized by this charter and for any purpose for which a municipality is authorized by
6 the laws of the State of Georgia; and to provide for the payment of expenses of the city;

7 (4) *Building regulation.* To regulate and to license the erection and construction of
8 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas,
9 and heating and air conditioning codes; and to regulate all housing and building trades;

10 (5) *Business regulation and taxation.* To levy and to provide for collection of license
11 fees and taxes on privileges, occupations, trades, and professions; to license and regulate
12 the same; to provide for the manner and method of payment of such licenses and taxes;
13 and to revoke such licenses after due process for failure to pay any city taxes or fees;

14 (6) *Condemnation.* To condemn property, inside the corporate limits of the city, for
15 present or future use and for any corporate purpose deemed necessary by the governing
16 authority, utilizing procedures enumerated in Title 22 of the Official Code of Georgia
17 Annotated or such other applicable laws as are or may hereafter be enacted;

18 (7) *Contracts.* To enter into contracts and agreements with other governmental entities
19 and with private persons, firms, and corporations;

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

24 (9) *Environmental protection.* To protect and preserve the natural resources,
25 environment, and vital areas of the state through the preservation and improvement of air
26 quality, the restoration and maintenance of water resources, the control of erosion and
27 sedimentation, the management of solid and hazardous waste, and other necessary actions
28 for the protection of the environment;

29 (10) *Fire regulations.* To fix and establish fire limits and from time to time to extend,
30 enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with
31 general law relating to both fire prevention and detection and to fire fighting; and to
32 prescribe penalties and punishment for violations thereof;

33 (11) *Garbage fees.* To levy, fix, assess, and collect a garbage, refuse, and trash
34 collection and disposal and other sanitary service charge, tax, or fee for such services as
35 may be necessary in the operation of the city from all individuals, firms, and corporations
36 residing in or doing business therein benefitting from such services; to enforce the

1 payment of such charges, taxes, or fees; and to provide for the manner and method of
2 collecting such service charges;

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

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

10 (14) *Health and sanitation.* To prescribe standards of health and sanitation and to
11 provide for the enforcement of such standards;

12 (15) *Jail sentences.* To provide that persons given jail sentences in the municipal court
13 may work out such sentences in any public works or community service projects on the
14 streets, roads, drains, and squares in the city; to provide for commitment of such persons
15 to any jail; or to provide for commitment of such persons to any county work camp or
16 county jail by agreement with the appropriate county officials;

17 (16) *Motor vehicles.* To regulate the operation of motor vehicles and exercise control
18 over all traffic, including parking upon or across the streets, road, alleys, and walkways
19 of the city;

20 (17) *Municipal agencies and delegation of power.* To create, alter, or abolish
21 departments, boards, offices, commissions, and agencies of the city and to confer upon
22 such agencies the necessary and appropriate authority for carrying out all the powers
23 conferred upon or delegated to the same;

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

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

30 (20) *Municipal property protection.* To provide for the preservation and protection of
31 property and equipment of the city and the administration and use of same by the public;
32 and to prescribe penalties and punishment for violations thereof;

33 (21) *Municipal utilities.* To acquire, lease, construct, operate, maintain, sell, and dispose
34 of public utilities, including but not limited to a system of waterworks, sewers and drains,
35 sewage disposal, gas works, electric light plants, transportation facilities, public airports,
36 and any other public utility; to fix the taxes, charges, rates, fares, fees, assessments,
37 regulations, and penalties and to provide for the withdrawal of service for refusal or

1 failure to pay the same; and to authorize the extension of water, sewerage, and electrical
2 distribution systems, and all necessary appurtenances by which said utilities are
3 distributed, inside and outside the corporate limits of the city, as provided by ordinance;

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

6 (23) *Ordinances, rules and regulations*. To make, establish, and adopt such bylaws,
7 ordinances, policies, and rules and regulations as shall appear necessary for the security,
8 welfare, convenience, and interest of the city and the inhabitants thereof and for
9 preserving the health, peace, order, and good government of the city;

10 (24) *Penalties*. To provide penalties for violation of any ordinances adopted pursuant
11 to the authority of this charter and the laws of the State of Georgia;

12 (25) *Planning and zoning*. To provide comprehensive city planning for development by
13 zoning; and to provide subdivision regulation and the like as the city council deems
14 necessary and reasonable to ensure a safe, healthy, and esthetically pleasing community;

15 (26) *Police and fire protection*. To exercise the power of arrest through duly appointed
16 police officers and to establish, operate, or contract for a police and a fire-fighting
17 agency;

18 (27) *Public hazards; removal*. To provide for the destruction and removal of any
19 building or other structure which is or may become dangerous or detrimental to the
20 public;

21 (28) *Public improvements*. To provide for the acquisition, construction, building,
22 operation, and maintenance of public ways, parks and playgrounds, recreational facilities,
23 cemeteries, markets and market houses, public buildings, libraries, public housing,
24 airports, hospitals, terminals, docks, parking facilities, or charitable, cultural, educational,
25 recreational, conservation, sport, curative, corrective, detentional, penal, and medical
26 institutions, agencies, and facilities; to provide any other public improvements, inside or
27 outside the corporate limits of the city; to regulate the use of public improvements; and
28 for such purposes, property may be acquired by condemnation under Title 22 of the
29 Official Code of Georgia Annotated or such other applicable laws as are or may hereafter
30 be enacted;

31 (29) *Public peace*. To provide for the prevention and punishment of drunkenness, riots,
32 and public disturbances;

33 (30) *Public transportation*. To organize and operate such public transportation systems
34 as are deemed beneficial;

35 (31) *Public utilities and services*. To grant franchises or make contracts for public
36 utilities and public services; and to prescribe the rates, fares, regulations, and standards
37 and conditions of service applicable to the service to be provided by the franchise grantee

1 or contractor, insofar as not in conflict with valid regulations of the Georgia Public
2 Service Commission;

3 (32) *Regulation of roadside areas.* To prohibit or regulate and control the erection,
4 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any
5 and all other structures or obstructions upon or adjacent to the rights of way of streets and
6 roads or within view thereof, within or abutting the corporate limits of the city; and to
7 prescribe penalties and punishment for violation of such ordinances;

8 (33) *Retirement.* To provide and maintain a retirement plan for officers and employees
9 of the city;

10 (34) *Roadways.* To lay out, open, extend, widen, narrow, establish or change the grade
11 of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise
12 improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and
13 walkways within the corporate limits of the city; to negotiate and execute leases over,
14 through, under, or across any city property or the right of way of any street, road, alley,
15 and walkway or portion thereof within the corporate limits of the city, for bridges,
16 passageways, or any other purpose or use between buildings on opposite sides of the
17 street and for other bridges, overpasses, and underpasses for private use at such location
18 and to charge a rental therefor in such manner as may be provided by ordinance; to
19 authorize and control the construction of bridges, overpasses, and underpasses within the
20 corporate limits of the city; to grant franchises and rights of way throughout the streets
21 and roads and over the bridges and viaducts for the use of public utilities and for private
22 use; and to require real estate owners to repair and maintain in a safe condition the
23 sidewalks adjoining their lots or lands and to impose penalties for failure to do so;

24 (35) *Sewer fees.* To levy a fee, charge, or sewer tax as necessary to assure the acquiring,
25 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant
26 and sewerage system and to levy on those to whom sewers and sewerage systems are
27 made available a sewer service fee, charge, or sewer tax for the availability or use of the
28 sewers; to provide for the manner and method of collecting such service charges and for
29 enforcing payment of the same; and to charge, impose, and collect a sewer connection fee
30 or fees to those connected with the system;

31 (36) *Solid waste disposal.* To provide for the collection and disposal of garbage, rubbish,
32 and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by
33 others; and to provide for the separate collection of glass, tin, aluminum, cardboard,
34 paper, and other recyclable materials and to provide for the sale of such items;

35 (37) *Special areas of public regulation.* To regulate or prohibit junk dealers, pawn
36 shops, the manufacture, sale, or transportation of intoxicating liquors, and the use and
37 sale of firearms; to regulate the transportation, storage, and use of combustible, explosive,

1 and inflammable materials, the use of lighting and heating equipment, and any other
 2 business or situation which may be dangerous to persons or property; to regulate and
 3 control the conduct of peddlers and itinerant traders, theatrical performances, exhibitions,
 4 and shows of any kind, by taxation or otherwise; and to license, tax, regulate, or prohibit
 5 professional fortune telling, palmistry, adult bookstores, and massage parlors;

6 (38) *Special assessments*. To levy and provide for the collection of special assessments
 7 to cover the costs for any public improvements;

8 (39) *Taxes: ad valorem*. To levy and provide for assessment, valuation, revaluation, and
 9 collection of taxes on all property subject to taxation;

10 (40) *Taxes: other*. To levy and collect such other taxes as may be allowed now or in the
 11 future by law;

12 (41) *Taxicabs*. To regulate and license vehicles operated for hire in the city; to limit the
 13 number of such vehicles; to require the operators thereof to be licensed; to require public
 14 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to
 15 regulate the parking of such vehicles;

16 (42) *Urban redevelopment*. To organize and operate an urban redevelopment program;
 17 and

18 (43) *Other powers*. To exercise and enjoy all other powers, functions, rights, privileges,
 19 and immunities necessary or desirable to promote or protect the safety, health, peace,
 20 security, good order, comfort, convenience, or general welfare of the city and its
 21 inhabitants; and to exercise all implied powers necessary to carry into execution all
 22 powers granted in this charter as fully and completely as if such powers were fully stated
 23 herein; and to exercise all powers now or in the future authorized to be exercised by other
 24 municipal governments under other laws of the State of Georgia; and no listing of
 25 particular powers in this charter shall be held to be exclusive of others, nor restrictive of
 26 general words and phrases granting powers, but shall be held to be in addition to such
 27 powers unless expressly prohibited to municipalities under the Constitution or applicable
 28 laws of the State of Georgia.

29 **SECTION 1.14.**

30 Exercise of powers.

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

1 Official Code of Georgia Annotated or such other applicable laws as are or may hereafter be
2 enacted.

3 (b) *Filling of vacancies.* A vacancy in the office of mayor or councilmember shall be filled
4 for the remainder of the unexpired term, if any, by appointment by the mayor and confirmed
5 by the city council if less than twelve months remain in the unexpired term, otherwise by an
6 election as provided for in Section 5.14 of this charter and in accordance with Titles 21 and
7 45 of the Official Code of Georgia Annotated or other such laws as are or may hereafter be
8 enacted.

9 **SECTION 2.13.**

10 Compensation and expenses.

11 The mayor and councilmembers shall receive compensation and expenses for their services
12 as provided by ordinance.

13 **SECTION 2.14.**

14 Conflicts of interest; holding other offices.

15 (a) Elected and appointed officers of the city are trustees and servants of the residents of the
16 city and shall act in a fiduciary capacity for the benefit of such residents.

17 (b) *Conflict of interest.* No elected official, appointed officer, or employee of the city or any
18 agency or political entity to which this charter applies shall knowingly:

19 (1) Engage in any business or transaction, nor have a financial or other personal interest,
20 direct or indirect, which is incompatible with the proper discharge of his or her official
21 duties or which would tend to impair the independence of his or her judgment or action
22 in the performance of his or her official duties;

23 (2) Engage in or accept private employment or render services for private interests when
24 such employment or service is incompatible with the proper discharge of his or her
25 official duties or would tend to impair the independence of his or her judgment or action
26 in the performance of his or her official duties;

27 (3) Disclose confidential information, including information obtained at meetings which
28 are closed pursuant to Title 50, Chapter 14 of the Official Code of Georgia Annotated,
29 concerning the property, government, or affairs of the governmental body by which he
30 or she is engaged without proper legal authorization or use such information to advance
31 the financial or other private interest of himself or herself or others;

32 (4) Accept any valuable gift, whether in the form of service, loan, thing, or promise,
33 from any person, firm, or corporation which to his or her knowledge is interested, directly

1 or indirectly, in any manner whatsoever, in business dealings with the governmental body
2 by which he or she is engaged; provided, however, that an elected official who is a
3 candidate for public office may accept campaign contributions and services in connection
4 with any such campaign;

5 (5) Represent other private interests in any action or proceeding against this city or any
6 portion of its government; and

7 (6) Vote or otherwise participate in the negotiation or in the making of any contract with
8 any business or entity in which the official has financial interest.

9 (c) *Disclosure.* Any elected official, appointed officer, or employee who shall have any
10 private financial interest, directly or indirectly, in any contract or matter pending before or
11 within any department of the city shall disclose such private interest to the city council. The
12 mayor or any councilmember who has a private interest in any matter pending before the city
13 council shall disclose such private interest consistent with the city's code of ethics and such
14 disclosure shall be entered on the records of the city council, and that official shall disqualify
15 himself or herself, consistent with the city's code of ethics, from participating in any decision
16 or vote relating thereto. Any elected official, appointed officer, or employee of any agency
17 or political entity to which this charter applies who shall have any private financial interest,
18 directly or indirectly, in any contract or matter pending before or within such entity shall
19 disclose such private interest to the governing body of such agency or entity.

20 (d) *Use of public property.* No elected official, appointed officer, or employee of the city
21 or any agency or entity to which this charter applies shall use property owned by such
22 governmental entity for personal benefit, convenience, or profit except in accordance with
23 policies promulgated by the city council or the governing body of such agency or entity.

24 (e) *Contracts voidable and rescindable.* Any violation of this section which occurs with the
25 knowledge, express or implied, of a party to a contract or sale shall render said contract or
26 sale voidable at the option of the city council.

27 (f) *Ineligibility of elected official.* Except where authorized by law, neither the mayor nor
28 any councilmember shall hold any other elective or compensated appointive office in the city
29 or otherwise be employed by said government or any agency thereof during the term for
30 which he or she was elected. No former mayor and no former councilmember shall hold any
31 compensated appointive office in the city until one year after the expiration of the term for
32 which he or she was elected.

33 (g) *Political activities of certain officers and employees.* No appointive officer and no
34 employee of the city shall continue in such employment upon qualifying as a candidate for
35 nomination or election to any public office in the city. No employee of the city shall
36 continue in such employment upon election to any public office in this city or any other
37 public office which is inconsistent, incompatible, or in conflict with the duties of the city

1 employee. Such determination shall be made by the mayor and city council either
 2 immediately upon election or at any time such conflict may arise. No elected official shall
 3 serve as an officer or on the board of a homeowners' association located within the city. No
 4 member of an elected official's immediate family shall serve as an employee of the city.

5 (h) *Penalties for violation.*

6 (1) Any city officer or employee who knowingly conceals such financial interest or
 7 knowingly violates any of the requirements of this section shall be guilty of malfeasance
 8 in office or position and shall be deemed to have forfeited his or her office or position.

9 (2) Any officer or employee of the city who shall forfeit his or her office or position as
 10 described in paragraph (1) of this subsection shall be ineligible for appointment or
 11 election to or employment in a position in the city government for a period of three years
 12 thereafter.

13 **SECTION 2.15.**

14 Inquiries and investigations.

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

21 **SECTION 2.16.**

22 General power and authority.

23 Except as otherwise provided by law or this charter, the city council shall be vested with all
 24 the powers of government of this city.

25 **SECTION 2.17.**

26 Eminent domain.

27 The city council is hereby empowered to acquire, construct, operate, and maintain public
 28 ways, parks, public grounds, cemeteries, markets, market houses, public buildings, libraries,
 29 sewers, drains, sewage treatment, waterworks, electrical systems, gas systems, airports,
 30 hospitals, and charitable, educational, recreational, sport, curative, corrective, detentional,
 31 penal, and medical institutions, agencies, and facilities, and any other public improvements

1 inside or outside the city, and to regulate the use thereof, and for such purposes, property
2 may be condemned under procedures established under general law applicable now or as
3 provided in the future.

4 ORGANIZATION AND PROCEDURES

5 SECTION 2.18.

6 Organizational meetings.

7 The city council shall hold an organizational meeting on or before the second Monday
8 following any election. The meeting shall be called to order by the city clerk and the oath
9 of office shall be administered to the newly elected members as follows:

10 "I do solemnly (swear) (affirm) that I will faithfully perform the duties of (mayor)
11 (councilmember) of this city and that I will support and defend the charter thereof as well
12 as the Constitution and laws of the State of Georgia and of the United States of America."

13 SECTION 2.19.

14 Regular and special meetings.

15 (a) The city council shall hold regular meetings at such times and places as prescribed by
16 ordinance.

17 (b) Special meetings of the city council may be held on call of the mayor or three members
18 of the city council. Notice of such special meetings shall be served on all other members
19 personally, or by telephone personally, at least 24 hours in advance of the meeting. Such
20 notice to councilmembers shall not be required if the mayor and all councilmembers are
21 present when the special meeting is called. Such notice of any special meeting may be
22 waived by a councilmember in writing before or after such a meeting and attendance at the
23 meeting shall also constitute a waiver of notice on any business transacted in such
24 councilmember's presence. Only the business stated in the call may be transacted at the
25 special meeting.

26 (c) All meetings of the city council shall be public to the extent required by law, and notice
27 to the public of special meetings shall be made fully as is reasonably possible as provided by
28 Code Section 50-14-1 of the Official Code of Georgia Annotated or other such applicable
29 laws as are or may hereafter be enacted.

1 shall file a reasonable number of copies in the office of the clerk and at such other public
2 places as the city council may designate.

3 **SECTION 2.23.**

4 Action requiring an ordinance.

5 Acts of the city council which have the force and effect of law shall be enacted by ordinance.

6 **SECTION 2.24.**

7 Emergencies.

8 (a) To meet a public emergency affecting life, health, property, or public peace, the city
9 council may convene on call of the mayor or three councilmembers and promptly adopt an
10 emergency ordinance, but such ordinance may not levy taxes; grant, renew, or extend a
11 franchise; regulate the rate charged by any public utility for its services; or authorize the
12 borrowing of money except for loans to be repaid within 30 days. An emergency ordinance
13 shall be introduced in the form prescribed for ordinances generally, except that it shall be
14 plainly designated as an emergency ordinance and shall contain, after the enacting clause,
15 a declaration stating that an emergency exists and describing the emergency in clear and
16 specific terms. An emergency ordinance may be adopted, with or without amendment, or
17 rejected at the meeting at which it is introduced, but the affirmative vote of at least three
18 councilmembers shall be required for adoption. It shall become effective upon adoption or
19 at such later time as it may specify. Every emergency ordinance shall automatically stand
20 repealed 90 days following the date upon which it was adopted, but this shall not prevent
21 reenactment of the ordinance in the manner specified in this section if the emergency still
22 exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance
23 in the same manner specified in this section for adoption of emergency ordinances.

24 (b) Such meetings shall be open to the public to the extent required by law, and notice to the
25 public of emergency meetings shall be made as fully as is reasonably possible in accordance
26 with Code Section 50-14-1 of the Official Code of Georgia Annotated or such other
27 applicable laws as are or may hereafter be enacted.

28 **SECTION 2.25.**

29 Codes of technical regulations.

30 (a) The city council may adopt any standard code of technical regulations by reference
31 thereto in an adopting ordinance. The procedure and requirements governing such adopting

1 ordinance shall be as prescribed for ordinances generally except that: (1) the requirements
2 of subsection (b) of Section 2.22 of this charter for distribution and filing of copies of the
3 ordinance shall be construed to include copies of any code of technical regulations, as well
4 as the adopting ordinance; and (2) a copy of each adopted code of technical regulations, as
5 well as the adopting ordinance, shall be authenticated and recorded by the clerk pursuant to
6 Section 2.26 of this charter.

7 (b) Copies of any adopted code of technical regulations shall be made available by the clerk
8 for inspection by the public.

9 **SECTION 2.26.**

10 Signing; authenticating; recording; codification; printing.

11 (a) The clerk shall authenticate by his or her signature and record in full in a properly
12 indexed book kept for that purpose all ordinances adopted by the city council.

13 (b) The city council shall provide for the preparation of a general codification of all the
14 ordinances of the city having the force and effect of law. The general codification shall be
15 adopted by the city council by ordinance and shall be published promptly, together with all
16 amendments thereto and such codes of technical regulations and other rules and regulations
17 as the city council may specify. This compilation shall be known and cited officially as "The
18 Code of the City of Snellville, Georgia." Copies of the code shall be furnished to all officers,
19 departments, and agencies of the city and made available for purchase by the public at a
20 reasonable price as fixed by the city council.

21 (c) The city council shall cause each ordinance and each amendment to this charter to be
22 printed promptly following its adoption, and the printed ordinances and charter amendments
23 shall be made available for purchase by the public at reasonable prices to be fixed by the city
24 council. Following publication of the first code under this charter and at all times thereafter,
25 the ordinances and charter amendments shall be printed in substantially the same style as the
26 code currently in effect and shall be suitable in form for incorporation therein. The city
27 council shall make such further arrangements as deemed desirable with reproduction and
28 distribution of any current changes in or additions to codes of technical regulations and other
29 rules and regulations included in the code.

1 MAYOR-COUNCIL FORM OF GOVERNMENT

2 **SECTION 2.27.**

3 Election of mayor; forfeiture; compensation.

4 The mayor shall be elected and serve for a term of four years and until his or her successor
 5 is elected and qualified. The mayor shall be a qualified elector of this city and shall have
 6 been a resident of the city for 12 months prior to the election. The mayor shall continue to
 7 reside in this city during the period of his or her service. The mayor shall forfeit his or her
 8 office on the same grounds and under the same procedure as for councilmembers. The
 9 compensation of the mayor shall be established in the same manner as for councilmembers.

10 **SECTION 2.28.**

11 Mayor pro tempore.

12 By a majority vote, the city council shall elect a councilmember to serve as mayor pro
 13 tempore. The mayor pro tempore shall assume the duties and powers of the mayor during
 14 the mayor's disability or absence. Any such disability or absence shall be declared by a
 15 majority vote of the city council. The mayor pro tempore shall sign all contracts and
 16 ordinances in which the mayor has a disqualifying financial interest as provided in Section
 17 2.14 of this charter.

18 **SECTION 2.29.**

19 Powers and duties of mayor; city's chief executive officer.

20 The mayor shall:

- 21 (1) Preside at all meetings of the city council;
- 22 (2) Be the head of the city for the purpose of service of process and for ceremonial
 23 purposes and be the official spokesman for the city and the chief advocate of policy;
- 24 (3) Have the power to administer oaths and to take affidavits;
- 25 (4) Sign as a matter of course on behalf of the city all written and approved contracts,
 26 ordinances, and other instruments executed by the city which by law are required to be
 27 in writing;
- 28 (5) Vote on matters before the city council and be counted toward a quorum as any other
 29 councilmember;
- 30 (6) Prepare and submit to the city council a recommended annual operating budget and
 31 recommended capital budget;

1 (7) Fulfill such other executive and administrative duties as the city council shall by
2 ordinance establish;

3 (8) Be the chief executive of the city; possess all of the executive and administrative
4 powers granted to the city under the Constitution and laws of the State of Georgia and all
5 the executive and administrative powers contained in this charter, except as otherwise
6 specifically provided for in this charter; and have the authority to delegate any one or
7 more executive or administrative powers to a person or persons employed by the city and
8 qualified in management and administration;

9 (9) Appoint and remove, with confirmation from the city council, all officers, department
10 heads, and employees of the city except as otherwise provided in this charter;

11 (10) Exercise supervision over all executive and administrative work of the city and
12 provide for the coordination of administrative activities;

13 (11) Require any department or agency of the city to submit written reports whenever
14 the mayor deems it expedient;

15 (12) Recommend to the city council such measures relative to the affairs of the city,
16 improvement of the government, and promotion of the welfare of its inhabitants as the
17 mayor may deem expedient; and

18 (13) Perform such other duties as may be required by law, this charter, or by ordinance.

19 **SECTION 2.30.**

20 Limits on terms of service.

21 No mayor elected and qualified for two consecutive terms shall be eligible for the succeeding
22 term. No councilmember elected and qualified for three consecutive terms shall be eligible
23 for the succeeding term. However, said official shall be eligible to requalify for said office
24 after having been out of office for one term.

25 **ARTICLE III**

26 **ADMINISTRATIVE AFFAIRS**

27 **SECTION 3.10.**

28 Administrative and service departments.

29 (a) Except as otherwise provided in this charter, the city council, by ordinance, shall
30 prescribe the functions or duties and establish, abolish, or alter all nonelective offices,
31 positions of employment, departments, and agencies of the city as necessary for the proper
32 administration of the affairs and government of this city.

1 (b) Except as otherwise provided by this charter or by law, the directors of departments and
2 other appointed officers of the city shall be appointed solely on the basis of their respective
3 administrative and professional qualifications.

4 (c) All appointive officers and directors of departments shall receive such compensation as
5 prescribed by ordinance.

6 (d) There shall be a director of each department or agency who shall be its principal officer.
7 Each director shall, subject to the direction and supervision of the mayor, be responsible for
8 the administration and direction of the affairs and operations of his or her department or
9 agency.

10 (e) All directors under the supervision of the mayor shall be nominated by the mayor with
11 confirmation of appointment by the city council. All appointive officers and directors shall
12 be employees at will and subject to removal or suspension at any time by the mayor unless
13 otherwise provided by law or ordinance.

14 **SECTION 3.11.**

15 **Boards, commissions, and authorities.**

16 (a) The city council shall create by ordinance such boards, commissions, and authorities to
17 fulfill any investigative, quasi-judicial, or quasi-legislative function the city council deems
18 necessary and shall by ordinance establish the composition, period of existence, duties, and
19 powers thereof.

20 (b) All members of boards, commissions, and authorities of the city shall be appointed by
21 the mayor with the confirmation of the city council for such terms of office and in such
22 manner as shall be provided by ordinance, except where other appointing authority, terms
23 of office, or manner of appointment is prescribed by this charter or by law.

24 (c) The city council by ordinance may provide for the compensation and reimbursement for
25 actual and necessary expenses of the members of any board, commission, or authority.

26 (d) Except as otherwise provided by charter or by law, no member of any board,
27 commission, or authority shall hold any elective office in the city.

28 (e) Any vacancy on a board, commission, or authority of the city shall be filled for the
29 unexpired term in the manner prescribed herein for original appointment, except as otherwise
30 provided by this charter or by law.

31 (f) No member of a board, commission, or authority shall assume office until he or she has
32 executed and filed with the clerk of the city an oath obligating himself or herself to faithfully
33 and impartially perform the duties of his or her office, such oath to be prescribed by
34 ordinance and administered by the mayor.

1 (g) All members of a board, commission, or authority shall serve at will and may be
2 removed from office by a vote of three members of the city council unless otherwise
3 provided by law.

4 (h) Except as otherwise provided by this charter or by law, each board, commission, or
5 authority of the city shall elect one of its members as chair and one member as vice chair and
6 may elect as its secretary one of its own members or may appoint as secretary an employee
7 of the city. Each board, commission, or authority of the city government may establish such
8 bylaws, rules, and regulations, not inconsistent with this charter, ordinances of the city, or
9 law, as it deems appropriate and necessary for the fulfillment of its duties or the conduct of
10 its affairs. Copies of such bylaws, rules, and regulations shall be filed with the clerk of the
11 city.

12 ADMINISTRATIVE OFFICERS

13 SECTION 3.12.

14 City attorney.

15 The mayor shall appoint a city attorney, together with such assistant city attorneys as may
16 be authorized, and shall provide for the payment of such attorney or attorneys for services
17 rendered to the city. The city attorney shall be responsible for providing the representation
18 and defense of the city in all litigation in which the city is a party; may be the prosecuting
19 officer in the municipal court; shall attend the meetings of the city council as directed; shall
20 advise the city council, mayor, and other officers and employees of the city concerning legal
21 aspects of the city's affairs; and shall perform such other duties as may be required of him
22 or her by virtue of his or her position as city attorney.

23 SECTION 3.13.

24 City clerk.

25 The mayor shall appoint a city clerk who shall not be a councilmember. The city clerk shall
26 be custodian of the official city seal; maintain city council records required by this charter;
27 and perform such other duties as may be required by the mayor and city council.

1 PERSONNEL ADMINISTRATION

2 SECTION 3.14.

3 Position classification and pay plans.

4 The mayor shall be responsible for the preparation of a position classification and pay plan
 5 which shall be submitted to the city council for approval. Such plan may apply to all
 6 employees of the city and any of its agencies, departments, boards, commissions, or
 7 authorities. When a pay plan has been adopted, the city council shall not increase or decrease
 8 the salary range applicable to any position except by amendment of such pay plan. For
 9 purposes of this section, all elected and appointed city officials are not city employees.

10 SECTION 3.15.

11 Personnel policies.

12 The city council shall adopt rules and regulations consistent with this charter concerning:

- 13 (1) The method of employee selection and probationary periods of employment;
 14 (2) The administration of the position classification and pay plan, methods of promotion
 15 and application of service ratings thereto, and transfer of employees within the
 16 classification plan;
 17 (3) Hours of work, vacation, sick leave and other leaves of absence, overtime pay, and
 18 the order and manner in which layoffs shall be effected;
 19 (4) Such dismissal hearings as due process may require; and
 20 (5) Such other personnel notices as may be necessary to provide for adequate and
 21 systematic handling of personnel affairs.

22 ARTICLE IV

23 JUDICIAL BRANCH

24 SECTION 4.10.

25 Creation; name.

26 There shall be a court to be known as the Municipal Court of the City of Snellville.

27 SECTION 4.11.

28 Chief judge; associate judge.

29 (a) The municipal court shall be presided over by a chief judge and such part-time, full-time,
 30 or stand-by judges as shall be provided by ordinance.

1 (b) No person shall be qualified or eligible to serve as a judge on the municipal court unless
 2 he or she has been an active member of the State Bar of Georgia for at least five years and
 3 shall possess all other qualifications required by law. All judges shall be appointed by the
 4 mayor and confirmed by the city council and shall serve until a successor is appointed and
 5 qualified.

6 (c) Compensation of the judges shall be fixed by ordinance.

7 (d) Judges serve at will and may be removed from office at any time by the mayor upon
 8 confirmation by the city council unless otherwise provided by ordinance.

9 (e) Before assuming office, each judge shall take an oath, given by the mayor, that the judge
 10 will honestly and faithfully discharge the duties of his or her office to the best of that
 11 person's ability and without fear, favor, or partiality. The oath shall be entered upon the
 12 minutes of the city council journal required in Section 2.20 of this charter.

13 **SECTION 4.12.**

14 Convening.

15 The municipal court shall be convened at regular intervals as provided by ordinance.

16 **SECTION 4.13.**

17 Jurisdiction; powers.

18 (a) The municipal court shall try and punish violations of this charter, all city ordinances,
 19 and such other violations as provided by law.

20 (b) The municipal court shall have authority to punish those in its presence for contempt,
 21 provided that such punishment shall not exceed \$200.00 or ten days in jail.

22 (c) The municipal court may fix punishment for offenses within its jurisdiction not
 23 exceeding a fine of \$1,000.00 or imprisonment for six months, or both, or may fix
 24 punishment by fine, imprisonment, or alternative sentencing as now or hereafter provided by
 25 law.

26 (d) The municipal court shall have authority to establish a schedule of fees to defray the cost
 27 of operations and shall be entitled to reimbursement of the cost of meals, transportation, and
 28 caretaking of prisoners bound over to superior courts for violations of state law.

29 (e) The municipal court shall have authority to establish bail and recognizances to ensure
 30 the presence of those charged with violations before said court and shall have discretionary
 31 authority to accept cash or personal or real property as surety for the appearance of persons
 32 charged with violations. Whenever any person shall give bail for his or her appearance and
 33 shall fail to appear at the time fixed for trial, his or her bond shall be forfeited by the

1 presiding at such time and an execution issued thereon by serving the defendant and his or
2 her sureties with a rule nisi at least two days before a hearing on the rule nisi. In the event
3 that cash or property is accepted in lieu of bond for security for the appearance of a defendant
4 at trial, and if such defendant fails to appear at the time and place fixed for trial, the cash so
5 deposited shall be on order of the judge declared forfeited to the city, or the property so
6 deposited shall have a lien against it for the value forfeited which lien shall be enforceable
7 in the same manner and to the same extent as a lien for city property taxes.

8 (f) The municipal court shall have the same authority as superior courts to compel the
9 production of evidence in the possession of any party; to enforce obedience to its orders,
10 judgments, and sentences; and to administer such oaths as are necessary.

11 (g) The municipal court may compel the presence of all parties necessary to a proper
12 disposal of each case by the issuance of summonses, subpoenas, and warrants which may be
13 served as executed by any officer as authorized by this charter or by law.

14 (h) Each judge of the municipal court shall be authorized to issue warrants for the arrest of
15 persons charged with offenses against any ordinance of the city, and each judge of the
16 municipal court shall have the same authority as a magistrate of the state to issue warrants
17 for offenses against state laws committed within the city.

18 **SECTION 4.14.**

19 Certiorari.

20 The right of certiorari from the decision and judgment of the municipal court shall exist in
21 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under
22 the sanction of a judge of the Superior Court of Gwinnett County under the laws of the State
23 of Georgia regulating the granting and issuance of writs of certiorari.

24 **SECTION 4.15.**

25 Rules for court.

26 With the approval of the city council, the judge shall have full power and authority to make
27 reasonable rules and regulations necessary and proper to secure the efficient and successful
28 administration of the municipal court; provided, however, that the city council may adopt in
29 part or in toto the rules and regulations applicable to superior courts. The rules and
30 regulations made or adopted shall be filed with the city clerk and shall be available for public
31 inspection, and, upon request, a copy shall be furnished to all defendants in municipal court
32 proceedings at least 48 hours prior to said proceedings.

1 remaining shall appoint a successor for the remainder of the term. In all other respects, the
 2 special election shall be held and conducted in accordance with Chapter 2 of Title 21 of the
 3 Official Code of Georgia Annotated, the "Georgia Election Code," as now or hereafter
 4 amended.

5 **SECTION 5.15.**

6 Other provisions.

7 Except as otherwise provided by this charter, the city council shall, by ordinance, prescribe
 8 such rules and regulations it deems appropriate to fulfill any options and duties under
 9 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, the "Georgia Election
 10 Code."

11 **SECTION 5.16.**

12 Removal of officers.

13 (a) The mayor, councilmembers, or other appointed officers provided for in this charter shall
 14 be removed from office for any one or more of the causes provided in Title 45 of the Official
 15 Code of Georgia Annotated or such other applicable laws as are or may hereafter be enacted.

16 (b) Removal of an officer pursuant to subsection (a) of this section shall be accomplished
 17 by one of the following methods:

18 (1) Following a hearing at which an impartial panel shall render a decision. In the event
 19 an elected officer is sought to be removed by the action of the city council, such officer
 20 shall be entitled to a written notice specifying the ground or grounds for removal and to
 21 a public hearing which shall be held not less than ten days after the service of such
 22 written notice. The city council shall provide by ordinance for the manner in which such
 23 hearings shall be held. Any elected officer sought to be removed from office as herein
 24 provided shall have the right of appeal from the decision of the city council to the
 25 Superior Court of Gwinnett County. Such appeal shall be governed by the same rules as
 26 govern appeals to the superior court from the probate court; or

27 (2) By an order of the Superior Court of Gwinnett County following a hearing on a
 28 complaint seeking such removal brought by any resident of the City of Snellville.

1 ARTICLE VI

2 FINANCE

3 **SECTION 6.10.**

4 Property Tax.

5 The city council may assess, levy, and collect an ad valorem tax on all real and personal
6 property within the corporate limits of the city that is subject to such taxation by the state and
7 county. This tax is for the purpose of raising revenues to defray the costs of operating the
8 city government, of providing governmental services, for the repayment of principal and
9 interest on general obligations, and for any other public purpose as determined by the city
10 council in its discretion.

11 **SECTION 6.11.**

12 Millage rate; due dates; payment methods.

13 The city council, by resolution, shall establish a millage rate for the city property tax, a due
14 date, and the time period within which these taxes must be paid. The city council, by
15 ordinance, may provide for the payment of these taxes by installments or in one lump sum,
16 as well as authorize voluntary payment of taxes prior to the time when due.

17 **SECTION 6.12.**

18 Occupation and business taxes.

19 The city council, by ordinance, shall have the power to levy such occupation or business
20 taxes as are not denied by law. The city council may classify businesses, occupations,
21 professions, or callings for the purpose of such taxation in any way which may be lawful and
22 may compel the payment of such taxes as provided in Section 6.18 of this charter.

23 **SECTION 6.13.**

24 Regulatory fees; permits.

25 The city council, by ordinance, shall have the power to require businesses or practitioners
26 doing business within this city to obtain a permit for such activity from the city and pay a
27 reasonable regulatory fee for such permit as provided by general law. Such fees may reflect
28 the total cost to the city of regulating the activity and, if unpaid, shall be collected as
29 provided in Section 6.18 of this charter.

SECTION 6.14.

Franchises.

(a) The city council shall have the power to grant franchises for the use of this city's streets and alleys for the purposes of railroads, street railways, telephone companies, electric companies, cable television, gas companies, transportation companies, and other similar organizations. The city council shall determine the duration, terms, whether the same shall be exclusive or nonexclusive, and the consideration for such franchises; provided, however, no franchise shall be granted for a period in excess of 35 years, and no franchise shall be granted unless the city receives just and adequate compensation therefor. The city council shall provide for the registration of all franchises with the city clerk in a registration book kept by the clerk. The city council may provide by ordinance for the registration within a reasonable time of all franchises previously granted.

(b) If no franchise agreement is in effect, the city council has the authority to impose a tax on gross receipts for the use of this city's streets and alleys for the purposes of railroads, street railways, telephone companies, electric companies, electric membership corporations, cable television and other telecommunications companies, gas companies, transportation companies, and other similar organizations.

SECTION 6.15.

Service charges.

The city council by ordinance shall have the power to assess and collect fees, charges, and tolls for sewers, sanitary and health services, or any other services provided or made available within and without the corporate limits of the city for the total cost to the city of providing or making available such services. If unpaid, such charges shall be collected as provided in Section 6.18 of this charter.

SECTION 6.16.

Special assessments.

The city council by ordinance shall have the power to assess and collect the cost of constructing, reconstructing, widening, or improving any public way, street, sidewalk, curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property owners under such terms and conditions as are reasonable. If unpaid, such charges shall be collected as provided in Section 6.18 of this charter.

SECTION 6.17.

Construction; other taxes and fees.

This city shall be empowered to levy any other tax or fee allowed now or hereafter by law, and the specific mention of any right, power, or authority in this article shall not be construed as limiting in any way the general powers of this city to govern its local affairs.

SECTION 6.18.

Collection of delinquent taxes and fees.

The city council by ordinance may provide generally for the collection of delinquent taxes, fees, or other revenue due the city under Sections 6.10 through 6.17 of this charter by whatever reasonable means as are not precluded by law. This shall include providing for the dates when the taxes or fees are due; late penalties or interest; issuance and execution of fi. fas.; creation and priority of liens; making delinquent taxes and fees personal debts of the persons required to pay the taxes or fees imposed; revoking city licenses for failure to pay any city taxes or fees; and providing for the assignment or transfer of tax executions.

SECTION 6.19.

General obligation bonds.

The city council shall have the power to issue bonds for the purpose of raising revenue to carry out any project, program, or venture authorized under this charter or the laws of the state. Such bonding authority shall be exercised in accordance with the laws governing bond issuance by municipalities in effect at the time said issue is undertaken.

SECTION 6.20.

Revenue bonds.

Revenue bonds may be issued by the city council as state law now or hereafter provides. Such bonds are to be paid out of any revenue produced by the project, program, or venture for which they were issued.

SECTION 6.21.

Short-term loans.

The city may obtain short-term loans and must repay such loans not later than December 31 of each year, unless otherwise provided by law.

SECTION 6.22.

Lease-purchase contracts.

The city may enter into multiyear lease, purchase, or lease-purchase contracts for the acquisition of goods, materials, real and personal property, services, and supplies, provided the contract terminates without further obligation on the part of the municipality at the close of the calendar year in which it was executed and at the close of each succeeding calendar year for which it may be renewed. Contracts must be executed in accordance with the requirements of Code Section 36-60-13 of the Official Code of Georgia Annotated or other such applicable laws as are or may hereafter be enacted.

SECTION 6.23.

Fiscal year.

The city council shall set the fiscal year by ordinance. This fiscal year shall constitute the budget year and the year for financial accounting and reporting of each and every office, department, agency, and activity of the city government.

SECTION 6.24.

Preparation of budgets.

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

SECTION 6.25.

Submission of operating budget.

On or before a date fixed by the city council, but not later than 60 days prior to the beginning of each fiscal year, the mayor shall submit to the city council a proposed operating budget

1 for the ensuing fiscal year. The budget shall be accompanied by a message from the mayor
 2 containing a statement of the general fiscal policies of the city, the important features of the
 3 budget, explanations of major changes recommended for the next fiscal year, a general
 4 summary of the budget, and such other comments and information as he or she may deem
 5 pertinent. The operating budget and the capital improvements budget hereinafter provided
 6 for, the budget message, and all supporting documents shall be filed in the office of the city
 7 clerk and shall be open to public inspection.

8 **SECTION 6.26.**

9 Action on budget.

10 (a) The city council may amend the operating budget proposed by the mayor, except that the
 11 budget as finally amended and adopted must provide for all expenditures required by state
 12 law or by other provisions of this charter and for all debt service requirements for the ensuing
 13 fiscal year, and the total appropriations from any fund shall not exceed the estimated fund
 14 balance, reserves, and revenues.

15 (b) The city council, by ordinance, shall adopt the final operating budget for the ensuing
 16 fiscal year not later than June 30 of each year. If the city council fails to adopt the budget
 17 by this date, the amounts appropriated for operation for the current fiscal year shall be
 18 deemed adopted for the ensuing fiscal year on a month-to-month basis, with items prorated
 19 accordingly until such time as the city council adopts a budget for the ensuing fiscal year.
 20 Adoption of the budget shall take the form of an appropriations ordinance setting out the
 21 estimated revenues in detail by sources and making appropriations according to fund and by
 22 organizational unit, purpose, or activity as set out in the budget preparation ordinance
 23 adopted pursuant to Section 6.24 of this charter.

24 (c) The amount set out in the adopted operating budget for each organizational unit shall
 25 constitute the annual appropriation for such, and no expenditure shall be made or
 26 encumbrance created in excess of the otherwise unencumbered balance of the appropriations
 27 or allotment thereof to which it is chargeable.

28 **SECTION 6.27.**

29 Tax levies.

30 The city council shall levy by ordinance such taxes as are necessary. The taxes and tax rates
 31 set by such ordinance shall be such that reasonable estimates of revenues from such levy
 32 shall at least be sufficient, together with other anticipated revenues, fund balances, and
 33 applicable reserves, to equal the total amount appropriated for each of the several funds set

1 forth in the annual operating budget for defraying the expenses of the general government
2 of this city.

3 **SECTION 6.28.**

4 Changes in appropriations.

5 The city council by ordinance may make changes in the appropriations contained in the
6 current operating budget, at any regular meeting or special or emergency meeting called for
7 such purpose, but any additional appropriations may be made only from an existing
8 unexpended surplus.

9 **SECTION 6.29.**

10 Capital improvements budget.

11 (a) On or before the date fixed by the city council, but no later than 30 days prior to the
12 beginning of each fiscal year, the mayor shall submit to the city council a proposed capital
13 improvements budget with his or her recommendations as to the means of financing the
14 improvements proposed for the ensuing fiscal year. The city council shall have power to
15 accept, with or without amendments, or reject the proposed program and proposed means of
16 financing. The city council shall not authorize an expenditure for the construction of any
17 building, structure, work, or improvement unless the appropriations for such project are
18 included in the capital improvements budget, except to meet a public emergency as provided
19 in Section 2.24 of this charter.

20 (b) The city council shall adopt by ordinance the final capital improvements budget for the
21 ensuing fiscal year not later than June 30 of each year. No appropriation provided for in a
22 prior capital improvements budget shall lapse until the purpose for which the appropriation
23 was made shall have been accomplished or abandoned; provided, however, the mayor may
24 submit amendments to the capital improvements budget at any time during the fiscal year,
25 accompanied by his or her recommendations. Any such amendments to the capital
26 improvements budget shall become effective only upon adoption by ordinance.

27 **SECTION 6.30.**

28 Independent audit.

29 There shall be an annual independent audit of all city accounts, funds, and financial
30 transactions by a certified public accountant selected by the city council. The audit shall be
31 conducted according to generally accepted accounting principles. Any audit of any funds by

1 the state or federal governments may be accepted as satisfying the requirements of this
 2 charter. Copies of all audit reports shall be available at printing costs to the public.

3 **SECTION 6.31.**

4 Contracting procedures.

5 No contract with the city shall be binding on the city unless:

6 (1) It is in writing;

7 (2) It is drawn by or submitted and reviewed by the city attorney and, as a matter of
 8 course, is signed by him or her to indicate such drafting or review; and

9 (3) It is made or authorized by the mayor and such approval is entered in the city council
 10 journal of proceedings pursuant to Section 2.21 of this charter.

11 **SECTION 6.32.**

12 Purchasing.

13 The city council shall by policy prescribe procedures for a system of purchasing for the city.

14 **SECTION 6.33.**

15 Sale of city property.

16 (a) The city council may sell and convey any real or personal property owned or held by the
 17 city for governmental or other purposes as now or hereafter provided by law.

18 (b) The city council may quitclaim any rights it may have in property not needed for public
 19 purposes upon report by the mayor and adoption of a resolution, both finding that the
 20 property is not needed for public or other purposes and that the interest of the city has no
 21 readily ascertainable monetary value.

22 (c) Whenever in opening, extending, or widening any street, avenue, alley, or public place
 23 of the city, a small parcel or tract of land is cut off or separated by such work from a larger
 24 tract or boundary of land owned by the city, the city council may authorize the mayor to sell
 25 and convey said cut-off or separated parcel or tract of land to an abutting or adjoining
 26 property owner or owners where such sale and conveyance facilitates the enjoyment of the
 27 highest and best use of the abutting owner's property. Included in the sales contract shall be
 28 a provision for the rights of way of said street, avenue, alley, or public place. Each abutting
 29 property owner shall be notified of the availability of the property and given the opportunity
 30 to purchase said property under such terms and conditions as set out by ordinance. All deeds
 31 and conveyances heretofore and hereafter so executed and delivered shall convey all title and

1 interest the city has in such property, notwithstanding the fact that no public sale after
2 advertisement was or is hereafter made.

3 **ARTICLE VII**

4 **GENERAL PROVISIONS**

5 **SECTION 7.10.**

6 Bonds for officials.

7 The officers and employees of this city, both elective and appointive, shall execute such
8 surety or fidelity bonds in such amounts and upon such terms and conditions as the city
9 council shall from time to time require by ordinance or as may be provided by law.

10 **SECTION 7.11.**

11 Prior ordinances.

12 All ordinances, resolutions, rules, and regulations now in force in the city not inconsistent
13 with this charter are hereby declared valid and of full effect and force until amended or
14 repealed by the city council.

15 **SECTION 7.12.**

16 Existing personnel and officers.

17 Except as specifically provided otherwise by this charter, all personnel and officers of the
18 city and their rights, privileges, and powers shall continue beyond the time this charter takes
19 effect for a period of 180 days before or during which the existing city council shall pass a
20 transition ordinance detailing the changes in personnel and appointive officers required or
21 desired and arranging such titles, rights, privileges, and powers as may be required or desired
22 to allow a reasonable transition.

23 **SECTION 7.13.**

24 Pending matters.

25 Except as specifically provided otherwise by this charter, all rights, claims, actions, orders,
26 contracts, and legal or administrative proceedings shall continue, and any such ongoing work
27 or cases shall be completed by such city agencies, personnel, or offices as may be provided
28 by the city council.

SECTION 7.14.

Construction.

(a) Section captions in this charter are informative only and are not to be considered as a part thereof.

(b) The word "shall" is mandatory and the word "may" is permissive.

(c) The singular shall include the plural, the masculine shall include the feminine, and vice versa.

SECTION 7.15.

Severability.

If any article, section, subsection, paragraph, sentence, or part thereof of this charter shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair other parts of this charter unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional, it being the legislative intent in enacting this charter that each article, section, subsection, paragraph, sentence, or part thereof be enacted separately and independent of each other.

SECTION 7.16.

Specific repealer.

An Act incorporating the City of Snellville in the County of Gwinnett, approved August 20, 1923 (Ga. L. 1923, p. 775), as amended, is repealed in its entirety.

SECTION 7.17.

Effective date.

This Act shall become effective on July 1, 2001.

SECTION 7.18.

Repealer.

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