

House Bill 760 (COMMITTEE SUBSTITUTE)

By: Representative Bell of the 25th

A BILL TO BE ENTITLED
AN ACT

To amend an Act incorporating the Town of Braselton in the County of Jackson, approved August 21, 1916 (Ga. L. 1916, p. 598), as amended, so as to provide for town council districts; to require reapportionment by Home Rule; to provide for elections; to provide for terms of the mayor and town councilmembers; to provide for submission of such districts to the U.S. Department of Justice; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act incorporating the Town of Braselton in the County of Jackson, approved August 21, 1916 (Ga. L. 1916, p. 598), as amended, is amended by striking Section 4 in its entirety and inserting in lieu thereof a new Section 4 to read as follows:

"SECTION 4.

Council districts, elections, and terms of office.

(a) Council districts. For the purpose of electing town councilmembers, the Town of Braselton shall be divided into four voting districts, with one town councilmember elected from each district. The mayor shall be elected from the town at large. As soon as the 2000 Census data for use in reapportionment is made available to the mayor and town council but no later than the time for candidates to qualify in the 2001 municipal general election, the mayor and town council shall, consistent with the Municipal Home Rule Act of 1965, Code Section 36-35-1 et seq, of the O.C.G.A., amend the boundaries of such districts to reapportion such districts consistent with the provisions of Code Section 36-35-4.1 of the O.C.G.A.

(b)(1) The boundaries of District 1 shall be as follows:

Beginning at a point where the existing town limits intersect the centerline of State Highway 53 approximately 2000 feet north of the interchange of State Highway 53 and Interstate 85 and thence running southerly along the centerline of State Highway 53 to

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1 a point at which the town limits turn easterly; thence running easterly along the current
2 town limits to a point at which the current town limits turn northerly; thence running
3 northerly along the existing town limits to a point at which the existing town limits turn
4 easterly; thence running easterly along the existing town limits to a point at which the
5 existing town limits turn southerly; thence running southerly along the existing town
6 limits to a point at which the existing town limits turn westerly; thence running westerly
7 along the existing town limits to a point at which the existing town limits turn southerly;
8 thence running southerly along the existing town limits to the intersection of Zion Church
9 Road; thence running westerly along the centerline of Zion Church Road to its
10 intersection with Pinecrest Street; thence running southerly along the centerline of
11 Pinecrest Street to its intersection with Davis Street; thence running westerly along the
12 centerline of Davis Street to its intersection with State Highway 53 (Green Street); thence
13 running generally northerly to the interchange of State Highway 53 (Green Street) with
14 Interstate 85; thence running westerly along the centerline of Interstate 85 to its
15 intersection with the existing town limits at Jesse Cronin Road; thence running
16 northwesterly along the existing town limits to a point at which the existing town limits
17 turn northerly; thence running northerly to a point at which the existing town limits turn
18 easterly; thence running easterly along the existing town limits to a point which the
19 existing town limits turn southerly; thence running southerly along the existing town
20 limits to a point at which the existing town limits turn easterly; thence running easterly
21 along the existing town limits to a point at which the existing town limits turn northerly;
22 thence running northerly along the existing town limits to a point at which the existing
23 town limits turn southeasterly; thence running southeasterly along the existing town
24 limits to a point at which the existing town limits turn easterly; thence running easterly
25 along the existing town limits to a point at which the existing town limits turn northerly;
26 thence running northerly along the existing town limits to a point at which the existing
27 town limits turn northeasterly; thence running northeasterly along the existing town limits
28 to a point at which the existing town limits turn easterly; thence running easterly along
29 the existing town limits to a point at which the existing town limits turn northeasterly;
30 thence running northeasterly along the existing town limits to the intersection of the
31 existing town limits with Ednaville Road; thence running easterly along the centerline of
32 Ednaville Road to a point at which the existing town limits turn southerly; thence running
33 southerly along the existing town limits to a point at which the existing town limits turn
34 easterly; thence running easterly along the existing town limits to a point at which the
35 existing town limits intersect State Highway 53 at the point of beginning.

36 (2) The boundaries of District 2 shall be as follows:

1 Beginning at a point at the intersection of the centerlines of Davis Street and State
2 Highway 53 (Green Street) and thence running southerly along the centerline of State
3 Highway 53 (Green Street) to its intersection with the existing town limits: thence
4 running easterly along the existing town limits to a point at which the existing town limits
5 turn northerly; thence running northerly along the existing town limits to the intersection
6 of the existing town limits with Davis Street, at which point the existing town limits turn
7 easterly; thence running easterly along the existing town limits in the centerline of Davis
8 Street to a point at which the existing town limits turn northerly; thence running northerly
9 along the existing town limits to a point at which the existing town limits turn easterly;
10 thence running easterly along the existing town limits to a point at which the existing
11 town limits turn northeasterly; thence running northeasterly along the existing town limits
12 to a point at which the existing town limits turn westerly; thence running westerly along
13 the existing town limits to a point at which the existing town limits turn southerly; thence
14 running southerly along the existing town limits to the intersection of the existing town
15 limits with Zion Church Road; thence running westerly along the centerline of the Zion
16 Church Road to its intersection with Pinecrest Street; thence running southerly along the
17 centerline of Pinecrest Street to its intersection with Davis Street; thence running westerly
18 along the centerline of Davis Street to its intersection with State Highway 53 (Green
19 Street) at the point of beginning.

20 (3) The boundaries of District 3 shall be as follows:

21 Beginning at a point where the centerline of State Highway 53 (Green Street) crosses the
22 centerline of Interstate 85 and thence running southerly along the centerline of State
23 Highway 53 (Green Street) to its intersection with the existing town limits at Henry
24 Street; running thence westerly along the existing town limits in the centerline of Henry
25 Street to a point at which the existing town limits turn southerly; thence running southerly
26 along the existing town limits to a point at which the existing town limits turn westerly;
27 thence running westerly along the existing town limits to a point at which the existing
28 town limits turn southwesterly; thence running in an arc southwesterly to the intersection
29 of the existing town limits and Josh Pirkle Road; thence running southwesterly along the
30 centerline of Josh Pirkle Road to a point at which the existing town limits turn
31 northwesterly and leave the right of way of Josh Pirkle Road; thence running
32 northwesterly along the existing town limits to a point at which the existing town limits
33 turn southwesterly; thence running southwesterly along the existing town limits to the
34 intersection of the existing town limits and Josh Pirkle Road; thence running northerly
35 along the centerline of Josh Pirkle road to its intersection with the southern property line
36 of the property located at the southeast corner of the intersection of Josh Pirkle Road and
37 SR 124; thence running northeasterly along the southern boundary of said property to a

1 point at which the property line turns northerly; thence running northerly along the
2 boundary of said property to its intersection with State Route 124; thence running easterly
3 along the centerline of State Highway 124 to its intersection with an unnamed road shown
4 bisecting tax parcel 2C on the Braselton tax map; thence running northwesterly along the
5 centerline of such unnamed road to its intersection with the existing town limits adjacent
6 to the southern right of way of Interstate 85; thence running easterly along the Interstate
7 85 right of way to its intersection with the centerline of State Highway 53 (Green Street)
8 at the point of beginning.

9 (4) The boundaries of District 4 shall be as follows:

10 Beginning at a point at the intersection of an unnamed road bisecting tax parcel 2C on the
11 Braselton tax map and the existing town limits along the southern right of way of
12 Interstate 85 and thence running southerly along the centerline of said unnamed road to
13 its intersection with State Highway 124; thence running westerly along the centerline of
14 State Highway 124 to its intersection with the eastern property line of the property
15 located at the southeast corner of the intersection of State Route 124 and Josh Pirkle
16 Road; thence running southerly along the eastern boundary of said property to a point at
17 which the property line turns southwesterly; thence running southwesterly along the
18 boundary of said property to the centerline of Josh Pirkle Road; thence running southerly
19 along the centerline of Josh Pirkle Road to its intersection with the existing town limits;
20 thence running southwesterly along the existing town limits to a point at which the
21 existing town limits turn westerly; thence running westerly along the existing town limits
22 to a point at which the existing town limits turn northwesterly; thence running
23 northwesterly along the existing town limits to a point at which the existing town limits
24 turn southwesterly; thence running southwesterly along the existing town limits to the
25 intersection of the existing town limits with State Highway 211; thence running northerly
26 along the existing town limits in the centerline of State Highway 211 to the intersection
27 of State Highway 211 with State Highway 124; thence running northeasterly along the
28 existing town limits in the centerline of State Highway 124 to a point at which the
29 existing town limits turn northeasterly; thence running northeasterly along the existing
30 town limits to a point at which the existing town limits turn northerly; thence running
31 northerly along the existing town limits to a point at which the existing town limits turn
32 northwesterly; thence running northwesterly along the existing town limits to a point at
33 which the existing town limits turn westerly; thence running westerly along the existing
34 town limits, crossing the right of way of State Highway 211, to a point at which the
35 existing town limits turn southerly; thence running southerly along the existing town
36 limits to a point at which the existing town limits turn southwesterly; thence running
37 southwesterly along the existing town limits to a point at which the existing town limits

1 turn southerly; thence running southerly along the existing town limits, crossing the right
2 of way of Interstate 85, to a point at which the existing town limits turn southeasterly;
3 thence running southeasterly along the existing town limits to a point at which the
4 existing town limits turn southerly; thence running southerly along the existing town
5 limits to a point at which the existing town limits turn southeasterly; thence running
6 southeasterly along the existing town limits to a point at which the existing town limits
7 turn easterly; thence running easterly along the existing town limits to a point at which
8 the existing town limits turn southerly; thence running southerly along the existing town
9 limits to a point at which the existing town limits turn westerly; thence running westerly
10 along the existing town limits to a point at which the existing town limits turn southerly;
11 thence running southerly; thence running southerly along the existing town limits to a
12 point at which the existing town limits turn westerly; thence running westerly and
13 northwesterly along the existing town limits to a point at which the existing town limits
14 cross Interstate 85 and turn southwesterly adjacent to the northern right of way of
15 Interstate 85; thence running southwesterly along the existing town limits adjacent to the
16 northern right of way of Interstate 85 to a point at which the existing town limits turn
17 northerly; thence running northerly along the existing town limits to a point at which the
18 existing town limits turn northeasterly; thence running northeasterly along the existing
19 town limits to a point at which the existing town limits turn northwesterly; thence running
20 northwesterly along the existing town limits to a point at which the existing town limits
21 turn northerly; thence running northerly along the existing town limits to a point at which
22 the existing town limits turn northeasterly; thence running northeasterly along the
23 existing town limits to a point at which the existing town limits turn northerly; thence
24 running northerly along the existing town limits to a point at which the existing town
25 limits turn westerly; thence running westerly along the existing town limits to a point at
26 which the existing town limits turn southeasterly; thence running southeasterly along the
27 existing town limits to a point at which the existing town limits turn southwesterly;
28 thence running southwesterly along the existing town limits to a point at which the
29 existing town limits turn westerly; thence running westerly along the existing town limits
30 to a point at which the existing town limits turn northwesterly; thence running
31 northwesterly along the existing town limits to a point at which the existing town limits
32 turn southwesterly; thence running southwesterly along the existing town limits to a point
33 at which the existing town limits turn westerly adjacent to the northern right of way of
34 Interstate 85; thence running westerly along the existing town limits adjacent to such
35 right of way to a point at which the existing town limits turn northeasterly; thence
36 running northeasterly along the existing town limits to a point at which the existing town
37 limits turn northerly; thence running northerly along the existing town limits to a point

1 at which the existing town limits turn easterly; thence running easterly along the existing
2 town limits to a point at which the existing town limits turn northwesterly; thence running
3 northwesterly along the existing town limits to a point at which the existing town limits
4 turn westerly; thence running westerly along the existing town limits to a point at which
5 the existing town limits turn northeasterly; thence running northeasterly along the
6 existing town limits to a point at which the existing town limits turn northerly; thence
7 running northerly along the existing town limits to a point at which the existing town
8 limits turn northwesterly; thence running northwesterly along the existing town limits to
9 a point at which the existing town limits turn southwesterly; thence running southwesterly
10 along the existing town limits to the intersection of the existing town limits with Spout
11 Springs Road; thence running north and northwesterly along the existing town limits in
12 the centerline of Spout Springs Road to the point at which Spout Springs Road crosses
13 Duncan Creek Road; thence running northeasterly along the existing town limits in the
14 centerline of Duncan Creek Road to a point at which existing the town limits turn
15 northerly and leave the right of way of Duncan Creek Road; thence running northerly
16 along the existing town limits to the intersection of the existing town limits with
17 Thompsons Mill Road; thence running easterly and northeasterly along the existing town
18 limits in the centerline of Thompsons Mill Road to a point at which the existing town
19 limits turn southeasterly and leave the right of way of Thompsons Mill Road; thence
20 running southeasterly along the existing town limits to a point at which the existing town
21 limits turn northeasterly; thence running northeasterly along the existing town limits to
22 a point at which the existing town limits turn northwesterly; thence running northwesterly
23 along the existing town limits to a point at which the existing town limits turn
24 northeasterly; thence running northeasterly along the existing town limits to a point at
25 which the existing town limits turn southeasterly; thence running southeasterly along the
26 existing town limits to a point at which the existing town limits turn northerly; thence
27 running northerly along the existing town limits to the intersection of the existing town
28 limits with Thompsons Mill Road; thence running easterly along the existing town limits
29 in the centerline of Thompsons Mill Road to a point at which the existing town limits turn
30 southerly and leave the Thompsons Mill Road right of way; thence running southerly
31 along the existing town limits to a point at which the existing town limits turn easterly;
32 thence running easterly along the existing town limits to a point at which the existing
33 town limits turn southeasterly; thence running southeasterly along the existing town
34 limits to a point at which the existing town limits turn northerly; thence running northerly
35 along the existing town limits to the intersection of the existing town limits with
36 Thompsons Mill Road, at which point the existing town limits turn easterly; thence
37 running easterly along the existing town limits in the centerline of Thompsons Mill Road

1 to a point at which the existing town limits turn southeasterly and leave the Thompsons
2 Mill Road right of way; thence running southeasterly along the existing town limits to a
3 point at which the existing town limits turn easterly; thence running easterly along the
4 existing town limits to a point at which the existing town limits turn northwesterly; thence
5 running northwesterly along the existing town limits to the intersection of the existing
6 town limits and Thompsons Mill Road, at which point the existing town limits turn
7 easterly; thence running easterly along the existing town limits in the centerline of
8 Thompsons Mill Road to a point at which the existing town limits turn southeasterly and
9 leave the Thompsons Mill Road right of way; thence running southeasterly along the
10 existing town limits to a point at which the existing town limits turn northeasterly; thence
11 running northeasterly along the existing town limits to a point at which the existing town
12 limits turn northwesterly; thence running northwesterly along the existing town limits to
13 the intersection of the existing town limits with Thompsons Mill Road; thence running
14 northeasterly along the existing town limits in the centerline of Thompsons Mill Road to
15 its intersection with State Highway 211; thence running northerly along the centerline of
16 State Highway 211 to its intersection with the Mulberry River, at which point the existing
17 town limits turn easterly; thence running easterly along the existing town limits in the
18 centerline of the Mulberry River until the existing town limits turn southwesterly and
19 leave the river; thence running southwesterly along the existing town limits to the
20 intersection of the existing town limits with State Highway 211; thence running
21 southeasterly along the existing town limits in the centerline of State Highway 211 to its
22 intersection with Liberty Church Road; thence running easterly along the existing town
23 limits in the centerline of Liberty Church Road to its crossing of the Mulberry River; at
24 which point the existing town limits turn south and run concurrently with the center of
25 the Mulberry River; thence running in the direction of flow of the Mulberry River along
26 the existing town limits running concurrently with the Mulberry River to a point at which
27 the existing town limits leave the Mulberry River and turn northeasterly; thence running
28 northeasterly along the existing town limits to a point at which the existing town limits
29 turn easterly; thence running easterly along the existing town limits to a point at which
30 the existing town limits turn northerly; thence running northerly along the existing town
31 limits to their intersection with Liberty Church Road at which point the existing town
32 limits turn easterly; thence running easterly along the existing town limits in the
33 centerline of Liberty Church Road to a point at which the existing town limits turn
34 southerly; thence running southerly along the existing town limits to a point at which the
35 existing town limits turn westerly; thence running westerly along the existing town limits
36 to a point at which the existing town limits turn southerly; thence running southerly along
37 the existing town limits to a point at which the existing town limits turn southwesterly;

1 thence running southwesterly along the existing town limits to a point at which the
2 existing town limits intersect with the Mulberry River near the point of confluence of the
3 Mulberry River and Duncan Creek; thence crossing the Mulberry River and running
4 along the existing town limits coincident with the northern bank of Duncan Creek to a
5 point at which the existing town limits turn southwesterly and away from Duncan Creek;
6 thence running southwesterly along the existing town limits to their intersection with
7 State Highway 211, at which point the existing town limits turn northerly; thence
8 northerly along the existing town limits in the centerline of State Highway 211 to a point
9 at which the existing town limits turn southwesterly and leave the State Highway 211
10 right of way; thence running southwesterly along the existing town limits to a point at
11 which the existing town limits turn westerly; thence running westerly along the existing
12 town limits to a point at which the existing town limits turn northwesterly; thence running
13 northwesterly along the existing town limits to a point at which the existing town limits
14 turn southeasterly; thence running southeasterly along the existing town limits to a point
15 at which the existing town limits turn southerly; thence running southerly along the
16 existing town limits to a point at which the existing town limits turn easterly; thence
17 running easterly, crossing the right of way of State Highway 211, to a point at which the
18 existing town limits turn northeasterly; thence running northeasterly along the existing
19 town limits to a point at which the existing town limits turn southeasterly; thence running
20 southeasterly along the existing town limits to a point at which the existing town limits
21 turn northeasterly; thence running northeasterly along the existing town limits to a point
22 at which the existing town limits turn southeasterly; thence running southeasterly along
23 the existing town limits to a point at which the existing town limits turn northeasterly;
24 thence running northeasterly along the existing town limits to a point at which the
25 existing town limits turn easterly; thence running easterly along the existing town limits
26 to their intersection with the Mulberry River at which the existing town limits turn
27 southerly in the direction of the flow of the Mulberry River; thence southerly along the
28 existing town limits in the center of the Mulberry River to a point at which the existing
29 town limits leave the center of the Mulberry River and turn southwesterly; thence running
30 southwesterly along the existing town limits to a point at which the existing town limits
31 turn southerly; thence running southerly along the existing town limits to the intersection
32 of the existing town limits with the southern right of way of Interstate 85; thence running
33 northeasterly along the existing town limits adjacent to the southern right of way of
34 Interstate 85 to the point of beginning.

35 (c) Elections. The election of the mayor and town councilmembers shall be decided by
36 a majority of votes cast. In the event no candidate receives a majority of the votes cast for
37 a particular office, a run-off election shall be held as provided by law between the two

1 candidates receiving the highest number of votes for such office. The candidate receiving
2 a majority of the votes cast in such run-off election shall be declared the winner. Only a
3 resident of a particular council district may qualify for election from such district, and each
4 town councilmember shall reside in the district from which he or she was elected during
5 his or her term of office. The mayor shall be a resident of the Town of Braselton. Any
6 town councilmember who moves his or her residence from the district from which he or
7 she was elected shall be deemed to have vacated his or her office. There shall be no
8 primary elections for mayor and town councilmembers in the Town of Braselton and
9 elections for mayor and town councilmembers shall be nonpartisan.

10 (d) Terms of office. The mayor and all town councilmembers in office on the effective
11 date of this Act shall remain in office until the mayor and town councilmembers elected
12 in a general election to be held on November 6, 2001, take office as provided in this Act.
13 Thereafter, all town councilmembers shall serve a term of four years, with the exception
14 of those town councilmembers representing Council Districts 1 and 3 elected pursuant to
15 the general election held on November 6, 2001, who shall serve a term of two years. The
16 mayor shall serve a term of four years."

17 **SECTION 2.**

18 It shall be the duty of the attorney for the Town of Braselton to submit this Act to the U.S.
19 Department of Justice for approval under the Voting Rights Act of 1965.

20 **SECTION 3.**

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