

## House Bill 60

By: Representatives Dodson of the 84<sup>th</sup>, Post 1, Barnes of the 84<sup>th</sup>, Post 2, Buckner of the 82<sup>nd</sup>, Jordan of the 83<sup>rd</sup> and Hill of the 81<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To provide a new charter for the City of Morrow; 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, vacancies, compensation, expenses, qualifications,  
4 prohibitions, conflicts of interest, and suspension and removal from office relative to  
5 members of such governing authority; to provide for inquiries and investigations; to provide  
6 for oaths, organization, meetings, quorum, voting, rules, and procedures; to provide for  
7 ordinances and codes; to provide for a city manager, mayor, and mayor pro tempore and  
8 certain duties, powers, and other matters relative thereto; to provide for administrative affairs  
9 and responsibilities; to provide for boards, commissions, and authorities; to provide for a city  
10 attorney, a city clerk, and other personnel and matters relating thereto; to provide for rules  
11 and regulations; to provide for a municipal court and the judge or judges thereof and other  
12 matters relative to those judges; to provide for the court's jurisdiction, powers, practices, and  
13 procedures; to provide for the right of certiorari; to provide for elections; to provide for  
14 taxation, licenses, and fees; to provide for franchises, service charges, and assessments; to  
15 provide for bonded and other indebtedness; to provide for auditing, accounting, budgeting,  
16 and appropriations; to provide for city contracts and purchasing; to provide for the  
17 conveyance of property and interests therein; to provide for bonds for officials; to provide  
18 for prior ordinances and rules, pending matters, and existing personnel; to provide for  
19 penalties; to provide for definitions and construction; to provide for other matters relative to  
20 the foregoing; to repeal a specific Act; to repeal conflicting laws; and for other purposes.

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:



- 1 (3) Building regulation. To regulate and to license the erection and construction of  
2 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas,  
3 and heating and air conditioning codes; and to regulate all housing and building trades;
- 4 (4) Business regulation and taxation. To levy and to provide for the collection of  
5 regulatory fees and taxes on privileges, occupations, trades, and professions as authorized  
6 by Title 48 of the Official Code of Georgia Annotated or such other applicable laws as  
7 are or may hereafter be enacted; to permit and regulate the same; to provide for the  
8 manner and method of payment of such regulatory fees and taxes; and to revoke such  
9 permits after due process for failure to pay any city taxes or fees;
- 10 (5) Condemnation. To condemn property, inside or outside the corporate limits of the  
11 city, for present or future use and for any corporate purpose deemed necessary by the  
12 governing authority, utilizing procedures enumerated in Title 22 of the Official Code of  
13 Georgia Annotated or such other applicable laws as are or may hereafter be enacted;
- 14 (6) Contracts. To enter into contracts and agreements with other governmental entities  
15 and with private persons, firms, and corporations;
- 16 (7) Emergencies. To establish procedures for determining and proclaiming that an  
17 emergency situation exists within or without the city and to make and carry out all  
18 reasonable provisions deemed necessary to deal with or meet such an emergency for the  
19 protection, safety, health, or well-being of the citizens of the city;
- 20 (8) Environmental protection. To protect and preserve the natural resources,  
21 environment, and vital areas of the state through the preservation and improvement of air  
22 quality, the restoration and maintenance of water resources, the control of erosion and  
23 sedimentation, the management of solid and hazardous waste, and other necessary actions  
24 for the protection of the environment;
- 25 (9) Fire regulations. To fix and establish fire limits and from time to time to extend,  
26 enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with  
27 general law, relating to both fire prevention and detection and to fire fighting; and to  
28 prescribe penalties and punishment for violations thereof;
- 29 (10) Garbage fees. To levy, fix, assess, and collect a garbage, refuse, and trash collection  
30 and disposal and other sanitary service charge, tax, or fee for such services as may be  
31 necessary in the operation of the city from all individuals, firms, and corporations  
32 residing in or doing business therein benefitting from such services; to enforce the  
33 payment of such charges, taxes, or fees; and to provide for the manner and method of  
34 collecting such service charges;
- 35 (11) General health, safety, and welfare. To define, regulate, and prohibit any act,  
36 practice, conduct, or use of property which is detrimental to health, sanitation,

1 cleanliness, welfare, and safety of the inhabitants of the city and to provide for the  
2 enforcement of such standards;

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

6 (13) Health and sanitation. To prescribe standards of health and sanitation and to  
7 provide for the enforcement of such standards;

8 (14) Jail sentences. To provide that persons given jail sentences in the city's court may  
9 work out such sentences in any public works or on the streets, roads, drains, and other  
10 public property in the city; to provide for commitment of such persons to any jail; or to  
11 provide for commitment of such persons to any county work camp or county jail by  
12 agreement with the appropriate county officials;

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

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

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

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

26 (19) Municipal property protection. To provide for the preservation and protection of  
27 property and equipment of the city and the administration and use of same by the public;  
28 and to prescribe penalties and punishment for violations thereof;

29 (20) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose  
30 of public utilities, including but not limited to a system of waterworks, sewers and drains,  
31 sewage disposal, gas works, electric light plants, cable television and other  
32 telecommunications, transportation facilities, public airports, and any other public utility;  
33 and to fix the taxes, charges, rates, fares, fees, assessments, regulations, and penalties and  
34 to provide for the withdrawal of service for refusal or failure to pay the same;

35 (21) Nuisance. To define a nuisance and provide for its abatement whether on public or  
36 private property;

- 1 (22) Penalties. To provide penalties for violation of any ordinances adopted pursuant to  
2 the authority of this charter and the laws of the State of Georgia;
- 3 (23) Planning and zoning. To provide comprehensive city planning for development by  
4 zoning; and to provide subdivision regulation and the like as the city council deems  
5 necessary and reasonable to ensure a safe, healthy, and aesthetically pleasing community;
- 6 (24) Police and fire protection, EMS and ambulance service, and emergency  
7 communications (911). To exercise the power of arrest through duly appointed police  
8 officers and to establish, operate, or contract for a police and a fire-fighting agency, EMS  
9 and ambulance service, and emergency communications (911);
- 10 (25) Public hazards; removal. To provide for the destruction and removal of any  
11 building or other structure which is or may become dangerous or detrimental to the  
12 public;
- 13 (26) Public improvements. To provide for the acquisition, construction, building,  
14 operation, and maintenance of public ways, parks and playgrounds, recreational facilities,  
15 cemeteries, markets and market houses, public buildings, libraries, sewers, drains, sewage  
16 treatment, waterworks, electrical systems, gas systems, public housing, airports, hospitals,  
17 terminals, docks, parking facilities, and charitable, cultural, educational, recreational,  
18 conservation, sport, curative, corrective, detentional, penal, and medical institutions,  
19 agencies, and facilities; and to provide any other public improvements, inside or outside  
20 the corporate limits of the city; to regulate the use of public improvements; and, for such  
21 purposes, property may be acquired by condemnation under Title 22 of the Official Code  
22 of Georgia Annotated or such other applicable laws as are or may hereafter be enacted;
- 23 (27) Public peace. To provide for the prevention and punishment of drunkenness, riots,  
24 and public disturbances;
- 25 (28) Public transportation. To organize and operate such public transportation systems  
26 as are deemed beneficial;
- 27 (29) Public utilities and services. To grant franchises or make contracts for or impose  
28 taxes on public utilities and public service companies; and to prescribe the rates, fares,  
29 regulations, and standards and conditions of service applicable to the service to be  
30 provided by the franchise grantee or contractor, insofar as not in conflict with valid  
31 regulations of the Georgia Public Service Commission;
- 32 (30) Regulation of roadside areas. To prohibit or regulate and control the erection,  
33 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any  
34 and all other structures or obstructions upon or adjacent to the rights of way of streets and  
35 roads or within view thereof, within or abutting the corporate limits of the city; and to  
36 prescribe penalties and punishment for violation of such ordinances;

- 1 (31) Retirement. To provide and maintain a retirement plan for officers and employees  
2 of the city;
- 3 (32) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade  
4 of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise  
5 improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and  
6 walkways within the corporate limits of the city; and to grant franchises and rights of way  
7 throughout the streets and roads and over the bridges and viaducts for the use of public  
8 utilities; and to require real estate owners to repair and maintain in a safe condition the  
9 sidewalks adjoining their lots or lands and to impose penalties for failure to do so;
- 10 (33) Sewer fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring,  
11 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant  
12 and sewerage system and to levy on those to whom sewers and sewerage systems are  
13 made available a sewer service fee, charge, or sewer tax for the availability or use of the  
14 sewers; to provide for the manner and method of collecting such service charges and for  
15 enforcing payment of the same; and to charge, impose, and collect a sewer connection fee  
16 or fees to those connected with the system;
- 17 (34) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish,  
18 and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by  
19 others; and to provide for the separate collection of glass, tin, aluminum, cardboard,  
20 paper, and other recyclable materials and to provide for the sale of such items;
- 21 (35) Special areas of public regulation. To regulate or prohibit junk dealers, pawn shops,  
22 the manufacture, sale, or transportation of intoxicating liquors, and the use of firearms;  
23 to regulate the transportation, storage, and use of combustible, explosive, and  
24 inflammable materials, the use of lighting and heating equipment, and any other business  
25 or situation which may be dangerous to persons or property; to regulate and control the  
26 conduct of peddlers and itinerant traders, theatrical performances, exhibitions, and shows  
27 of any kind, by taxation or otherwise; and to license, tax, regulate, or prohibit  
28 professional fortune telling, palmistry, adult bookstores, and massage parlors;
- 29 (36) Special assessments. To levy and provide for the collection of special assessments  
30 to cover the costs for any public improvements;
- 31 (37) Taxes: ad valorem. To levy and provide for the assessment, valuation, revaluation,  
32 and collection of taxes on all property subject to taxation;
- 33 (38) Taxes: other. To levy and collect such other taxes as may be allowed now or in the  
34 future by law;
- 35 (39) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the  
36 number of such vehicles; to require the operators thereof to be licensed; to require public

1 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to  
 2 regulate the parking of such vehicles;

3 (40) Urban redevelopment. To organize and operate an urban redevelopment program;  
 4 and

5 (41) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,  
 6 and immunities necessary or desirable to promote or protect the safety, health, peace,  
 7 security, good order, comfort, convenience, or general welfare of the city and its  
 8 inhabitants; and to exercise all implied powers necessary or desirable to carry into  
 9 execution all powers granted in this charter as fully and completely as if such powers  
 10 were fully stated herein; and to exercise all powers now or in the future authorized to be  
 11 exercised by other municipal governments under other laws of the State of Georgia; and  
 12 no listing of particular powers in this charter shall be held to be exclusive of others, nor  
 13 restrictive of general words and phrases granting powers, but shall be held to be in  
 14 addition to such powers unless expressly prohibited to municipalities under the  
 15 Constitution or applicable laws of the State of Georgia.

16 **SECTION 1.13.**

17 Exercise of powers.

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

22 **ARTICLE II**

23 **GOVERNMENT STRUCTURE**

24 **SECTION 2.10.**

25 City council creation; number; election.

26 The legislative authority of the government of this city, except as otherwise specifically  
 27 provided in this charter, shall be vested in a city council to be composed of a mayor and four  
 28 councilmembers. The city council established shall be elected at large by the qualified voters  
 29 of the city and shall in all respects be a successor to and continuation of the governing  
 30 authority under prior law. The mayor and councilmembers shall be elected in the manner  
 31 provided by general law and this charter.

**SECTION 2.11.**

City council terms and qualifications for office.

The members of the city council shall serve for terms of four years and until their respective successors are elected and qualified. No person shall be eligible to serve as mayor or councilmember unless that person shall have been a resident of the city for 12 months prior to the date of election of mayor or members of the council; each shall continue to reside therein during that person's period of service and to be registered and qualified to vote in municipal elections of this city.

**SECTION 2.12.**

Vacancy; filling of vacancies.

(a) Vacancies – The office of mayor or councilmember shall become vacant upon the occurrence of any event specified by the Constitution of the State of Georgia, Title 45 of the Official Code of Georgia Annotated, or such other applicable laws as are or may hereafter be enacted.

(b) Filling of vacancies – A vacancy in the office of mayor or councilmember shall be filled for the remainder of the unexpired term, if any, by appointment if less than 12 months remain in the unexpired term, otherwise by an election as provided for in Section 5.14 of this charter and in accordance with Titles 21 and 45 of the Official Code of Georgia Annotated or such other laws as are or may hereafter be enacted.

**SECTION 2.13.**

Compensation and expenses.

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

**SECTION 2.14.**

Conflicts of interest; holding other offices.

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

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

- 1 (1) Engage in any business or transaction or have a financial or other personal interest,  
2 direct or indirect, which is incompatible with the proper discharge of that person's official  
3 duties or which would tend to impair the independence of that person's judgment or  
4 action in the performance of those official duties;
- 5 (2) Engage in or accept private employment or render services for private interests when  
6 such employment or service is incompatible with the proper discharge of that person's  
7 official duties or would tend to impair the independence of that person's judgment or  
8 action in the performance of those official duties;
- 9 (3) Disclose confidential information, including information obtained at meetings which  
10 are closed pursuant to Chapter 14 of Title 50 of the Official Code of Georgia Annotated,  
11 concerning the property, government, or affairs of the governmental body by which that  
12 person is engaged without proper legal authorization or use such information to advance  
13 the financial or other private interest of that person or others;
- 14 (4) Accept any valuable gift, whether in the form of service, loan, thing, or promise,  
15 from any person, firm, or corporation which to that person's knowledge is interested,  
16 directly or indirectly, in any manner whatsoever, in business dealings with the  
17 governmental body by which that person is engaged; provided, however, that an elected  
18 official who is a candidate for public office may accept campaign contributions and  
19 services in connection with any such campaign;
- 20 (5) Represent other private interests in any action or proceeding against this city or any  
21 portion of its government; or
- 22 (6) Vote or otherwise participate in the negotiation or in the making of any contract with  
23 any business or entity in which that person has financial interest.
- 24 (c) Disclosure – Any elected official, appointed officer, or employee who shall have any  
25 financial interest, directly or indirectly, in any contract or matter pending before or within  
26 any department of the city shall disclose such interest to the city council. The mayor or any  
27 councilmember who has a financial interest in any matter pending before the city council  
28 shall disclose such interest and such disclosure shall be entered on the records of the city  
29 council, and that person shall disqualify himself or herself from participating in any decision  
30 or vote relating thereto. Any elected official, appointed officer, or employee of any agency  
31 or political entity to which this charter applies who shall have any financial interest, directly  
32 or indirectly, in any contract or matter pending before or within such entity shall disclose  
33 such interest to the governing body of such agency or entity.
- 34 (d) Use of public property – No elected official, appointed officer, or employee of the city  
35 or any agency or entity to which this charter applies shall use property owned by such  
36 governmental entity for personal benefit, convenience, or profit except in accordance with  
37 policies promulgated by the city council or the governing body of such agency or entity.

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

4 (f) Ineligibility of elected official – Except where authorized by law, neither the mayor nor  
 5 any councilmember shall hold any other elective or compensated appointive office in the city  
 6 or otherwise be employed by said government or any agency thereof during the term for  
 7 which that official was elected.

8 (g) Political activities of certain officers and employees – No appointed officer of the city  
 9 shall continue in such employment upon qualifying as a candidate for nomination or election  
 10 to the Morrow City Council. No employee of the city shall continue in such employment  
 11 upon election to any public office in this city or any other public office which is inconsistent,  
 12 incompatible, or in conflict with the duties of the city employee. Such determination shall  
 13 be made by the mayor and city council either immediately upon election or at any time such  
 14 conflict may arise.

15 (h) Penalties for violation –

16 (1) Any city officer or employee who knowingly conceals such financial interest or  
 17 knowingly violates any of the requirements of this section shall be guilty of malfeasance  
 18 in office or position and shall be deemed to have forfeited that person's office or position.

19 (2) Any officer or employee of the city who shall forfeit an office or position as  
 20 described in paragraph (1) of this subsection shall be ineligible for appointment or  
 21 election to or employment in a position in the city government for a period of three years  
 22 thereafter.

## 23 **SECTION 2.15.**

### 24 Inquiries and investigations.

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

**SECTION 2.16.**

General power and authority of the city council.

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

**SECTION 2.17.**

Organizational meetings.

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7 The city council shall hold an organizational meeting on the second Tuesday in January in  
8 even numbered years. The meeting shall be called to order by the mayor and the oath of  
9 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."

**SECTION 2.18.**

Regular and special meetings.

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15 (a) The city council shall hold regular meetings at such times and places as shall be  
16 prescribed by 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 48 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 as fully as is reasonably possible as provided  
28 by Code Section 50-14-1 of the Official Code of Georgia Annotated or such other applicable  
29 laws as are or may hereafter be enacted.

**SECTION 2.19.**

## Rules of procedure.

(a) The city council shall adopt its rules of procedure and order of business consistent with the provisions of this charter and shall provide for keeping a journal of its proceedings, which shall be a public record.

(b) All committees and committee chairpersons and officers of the city council shall be appointed by the mayor and shall serve at the pleasure of the mayor. The mayor shall have the power to appoint new members to any committee at any time.

**SECTION 2.20.**

## Quorum; voting.

Three councilmembers shall constitute a quorum and shall be authorized to transact business of the city council. Voting on the adoption of ordinances shall be by voice vote and the vote shall be recorded in the journal, but any member of the city council shall have the right to request a roll-call vote and such vote shall be recorded in the journal. Except as otherwise provided in this charter, the affirmative vote of three councilmembers shall be required for the adoption of any ordinance, resolution, or motion. An abstention shall be counted as an affirmative vote.

**SECTION 2.21.**

## Ordinance form; procedures.

(a) Every proposed ordinance should be introduced in writing and in the form required for final adoption. No ordinance shall contain a subject which is not expressed in its title. The enacting clause shall be, "It is hereby ordained by the governing authority of the City of Morrow," and every ordinance shall so begin.

(b) An ordinance may be introduced by any councilmember and be read at a regular or special meeting of the city council. Ordinances shall be considered and adopted or rejected by the city council in accordance with the rules which it shall establish; provided, however, an ordinance shall not be adopted the same day it is introduced, except for emergency ordinances provided in Section 2.23 of this charter. Upon introduction of any ordinance, the clerk shall as soon as possible distribute a copy to the mayor and to each councilmember and shall file a reasonable number of copies in the office of the clerk and at such other public places as the city council may designate.

**SECTION 2.22.**

Action requiring an ordinance.

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

**SECTION 2.23.**

Emergencies.

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

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

**SECTION 2.24.**

Codes of technical regulations.

(a) The city council may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such adopting ordinance shall be as prescribed for ordinances generally except that:

1 (1) The requirements of subsection (b) of Section 2.21 of this charter for distribution and  
2 filing of copies of the ordinance shall be construed to include copies of any code of  
3 technical regulations, as well as the adopting ordinance; and

4 (2) A copy of each adopted code of technical regulations, as well as the adopting  
5 ordinance, shall be authenticated and recorded by the clerk pursuant to Section 2.25 of  
6 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 2.25.**

10 Signing; authenticating; recording; codification; printing.

11 (a) The clerk shall authenticate by the clerk's signature and record in full in a properly  
12 indexed book kept for that purpose all ordinances adopted by the 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 Morrow, 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.

**SECTION 2.26.**

City manager; appointment; qualifications; compensation.

The city council shall appoint a city manager for an indefinite term and shall fix the manager's compensation. The city manager shall be appointed solely on the basis of that person's executive and administrative qualifications.

**SECTION 2.27.**

Removal of city manager.

The city manager is employed at will and may be summarily removed from office at any time by the city council.

**SECTION 2.28.**

Acting city manager.

By letter filed with the city clerk, the city manager shall designate, subject to approval of the city council, a qualified city administrative officer to exercise the powers and perform the duties of city manager during the city manager's temporary absence or physical or mental disability. During such absence or disability, the city council may revoke such designation at any time and appoint another officer of the city to serve until the city manager shall return or the city manager's disability shall cease.

**SECTION 2.29.**

Powers and duties of the city manager.

The city manager shall be the chief administrative officer of the city. The city manager shall be responsible to the city council for the administration of all city affairs placed in the city manager's charge by or under this charter. As the chief administrative officer, the city manager shall:

- (1) Appoint and, when the city manager deems it necessary for the good of the city, suspend or remove all city employees and administrative officers the city manager appoints, except as otherwise provided by law or personnel ordinances adopted pursuant to this charter. The city manager may authorize any administrative officer who is subject to the city manager's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office, or agency;

1 (2) Direct and supervise the administration of all departments, offices, and agencies of  
2 the city, except as otherwise provided by this charter or by law;

3 (3) Attend all city council meetings except for closed meetings held for the purposes of  
4 deliberating on the appointment, discipline, or removal of the city manager, and have the  
5 right to take part in discussion but not vote;

6 (4) See that all laws, provisions of this charter, and acts of the city council, subject to  
7 enforcement by the city manager or by officers subject to the city manager's direction and  
8 supervision, are faithfully executed;

9 (5) Prepare and submit the annual operating budget and capital budget to the city council;

10 (6) Submit to the city council and make available to the public a complete report on the  
11 finances and administrative activities of the city as of the end of each fiscal year;

12 (7) Make such other reports as the city council may require concerning the operations of  
13 city departments, offices, and agencies subject to the city manager's direction and  
14 supervision;

15 (8) Keep the city council fully advised as to the financial condition and future needs of  
16 the city, and make such recommendations to the city council concerning the affairs of the  
17 city as the city manager deems desirable; and

18 (9) Perform other such duties as are specified in this charter or as may be required by the  
19 city council.

### 20 **SECTION 2.30.**

#### 21 Council's interference with administration.

22 Except for the purpose of inquiries and investigations under Section 2.15 of this charter, the  
23 city council or its members shall deal with city officers and employees who are subject to the  
24 direction and supervision of the city manager solely through the city manager, and neither  
25 the city council nor its members shall give any orders to any such officer or employee, either  
26 publicly or privately.

### 27 **SECTION 2.31.**

#### 28 Selection of mayor pro tempore.

29 By a majority vote of all its members, the city council shall elect a councilmember to serve  
30 as mayor pro tempore, and the mayor pro tempore shall serve at the pleasure of the city  
31 council. The mayor pro tempore shall continue to vote and otherwise participate as a  
32 councilmember.

**SECTION 2.32.**

## Powers and duties of mayor.

3 The mayor shall:

- 4 (1) Preside at all meetings of the city council;
- 5 (2) Be the chief executive officer of the city;
- 6 (3) Have a vote only in the case of a tie vote by councilmembers;
- 7 (4) Sign ordinances and resolutions on their final passage; except that the mayor shall  
8 have veto power over ordinances, orders, or resolutions, in which case the mayor shall  
9 have five days after meetings of the mayor and council to file with the clerk in writing  
10 his or her disapproval, but the councilmembers may, at the same meeting or any  
11 subsequent meeting within 60 days, override the veto of such ordinance, order, or  
12 resolution by a vote of two-thirds of the total number of councilmembers, to be taken by  
13 "ayes" and "nays" and entered upon the minutes;
- 14 (5) Be the head of the city for the purpose of service of process and for ceremonial  
15 purposes and be the official spokesperson for the city and the chief advocate of policy;
- 16 (6) Have power to administer oaths and to take affidavits; and
- 17 (7) Sign as a matter of course on behalf of the city all written and approved contracts and  
18 other instruments executed by the city which by law are required to be in writing.

**SECTION 2.33.**

## Mayor pro tempore.

21 During the absence or physical or mental disability of the mayor for any cause, the mayor  
22 pro tempore, or in the mayor pro tempore's absence or disability for any reason, any one of  
23 the councilmembers chosen by a majority vote of the city council, shall be clothed with all  
24 the rights and privileges of the mayor and shall perform the duties of the office of the mayor  
25 so long as such absence or disability shall continue. Any such absence or disability shall be  
26 declared by majority vote of all councilmembers. The mayor pro tempore or selected  
27 councilmember shall sign all contracts and ordinances in which the mayor has a disqualifying  
28 financial interest as provided in Section 2.14 of this charter.



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

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

6 (f) No member of a board, commission, or authority shall assume office until that person has  
7 executed and filed with the clerk of the city an oath obligating that person to faithfully and  
8 impartially perform the duties of that person's office, such oath to be prescribed by ordinance  
9 and administered by the mayor.

10 (g) All members of boards, commissions, or authorities of the city serve at will and may be  
11 removed at any time by a vote of three members of the city council unless otherwise  
12 provided by law.

13 (h) Except as otherwise provided by this charter or by law, each board, commission, or  
14 authority of the city shall elect one of its members as chairperson and one member as vice  
15 chairperson, and may elect as its secretary one of its own members or may appoint as  
16 secretary an employee of the city. Each board, commission, or authority of the city  
17 government may establish such bylaws, rules, and regulations, not inconsistent with this  
18 charter, ordinances of the city, or law, as it deems appropriate and necessary for the  
19 fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules, and  
20 regulations shall be filed with the clerk of the city.

21 **SECTION 3.12.**

22 City attorney.

23 The city council shall appoint a city attorney, together with such assistant city attorneys as  
24 may be authorized, and shall provide for the payment of such attorney or attorneys for  
25 services rendered to the city. The city attorney shall be responsible for providing for the  
26 representation and defense of the city in all litigation in which the city is a party; may be the  
27 prosecuting officer in the municipal court; shall attend the meetings of the council as  
28 directed; shall advise the city council, mayor, and other officers and employees of the city  
29 concerning legal aspects of the city's affairs; and shall perform such other duties as may be  
30 required by virtue of the person's position as city attorney.

**SECTION 3.13.**

City clerk.

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

**SECTION 3.14.**

Position classification and pay plans.

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

**SECTION 3.15.**

Personnel policies.

All employees serve at will and may be removed from office at any time unless otherwise provided by ordinance.

**ARTICLE IV****JUDICIAL BRANCH****SECTION 4.10.**

Creation; name.

There shall be a court to be known as the Municipal Court of the City of Morrow, Georgia.

**SECTION 4.11.**

Chief judge; associate judge.

(a)The municipal court shall be presided over by a chief judge and such part-time, full-time, 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 that person shall have attained the age of 21 years and shall possess all qualifications  
 3 required by law. All judges shall be appointed by the city council and shall serve until a  
 4 successor is appointed and qualified.

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

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

8 (e) Before assuming office, each judge shall take an oath, given by the mayor, that the judge  
 9 will honestly and faithfully discharge the duties of the judge's office to the best of the judge's  
 10 ability and without fear, favor, or partiality. The oath shall be entered upon the minutes of  
 11 the city council journal required in Section 2.19 of this charter.

12 **SECTION 4.12.**

13 Convening.

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

15 **SECTION 4.13.**

16 Jurisdiction; powers.

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

19 (b) The municipal court shall have authority to punish those in its presence for contempt,  
 20 provided that such punishment shall not exceed \$300.00 or 20 days in jail.

21 (c) The municipal court may fix punishment for offenses within its jurisdiction not  
 22 exceeding a fine of \$1,000.00 or imprisonment for 180 days or both such fine and  
 23 imprisonment or may fix punishment by fine, imprisonment, or alternative sentencing as now  
 24 or hereafter provided by law.

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

28 (e) The municipal court shall have authority to establish bail and recognizances to ensure  
 29 the presence of those charged with violations before said court and shall have discretionary  
 30 authority to accept cash or personal or real property as surety for the appearance of persons  
 31 charged with violations. Whenever any person shall give bail for that person's appearance  
 32 and shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge  
 33 presiding at such time and an execution issued thereon by serving the defendant and the

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

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

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

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

#### 17 **SECTION 4.14.**

##### 18 Certiorari.

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

#### 23 **SECTION 4.15.**

##### 24 Rules for court.

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



1 special election shall be held and conducted in accordance with Chapter 2 of Title 21 of the  
 2 O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

3 **SECTION 5.15.**

4 Other provisions.

5 Except as otherwise provided by this charter, the city council shall, by ordinance, prescribe  
 6 such rules and regulations it deems appropriate to fulfill any options and duties under  
 7 Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter  
 8 amended.

9 **SECTION 5.16.**

10 Removal of officers.

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

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

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

25 (2) By an order of the Superior Court of Clayton County following a hearing on a  
 26 complaint seeking such removal brought by any resident of the City of Morrow.

## 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 ordinance 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 the 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 taxes  
20 as are not denied by law. The city council may classify businesses, occupations, or  
21 professions for the purpose of such taxation in any way which may be lawful and may  
22 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 shall 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, electric membership corporations, cable television and other telecommunications companies, 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 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 permits 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 such other 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 improvement plan, and a capital budget, including requirements as to the scope, content, and form of such budgets and plans.

**SECTION 6.25.**

Submission of operating budget to city council.

On or before a date fixed by the city council but not later than 45 days prior to the beginning of each fiscal year, the city manager shall submit to the city council a proposed operating

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

8 **SECTION 6.26.**

9 Action by city council on budget.

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

15 (b) The city council by ordinance shall adopt the final operating budget for the ensuing fiscal  
 16 year not later than June 30 of each year. If the city council fails to adopt the budget by this  
 17 date, the amounts appropriated for operation for the current fiscal year shall be deemed  
 18 adopted for the ensuing fiscal year on a month-to-month basis, with all 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 appropriations 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 budget.

11 (a) On or before the date fixed by the city council, but no later than 45 days prior to the  
12 beginning of each fiscal year, the city manager shall submit to the city council a proposed  
13 capital improvements plan with a recommended capital budget containing the means of  
14 financing the improvements proposed for the ensuing fiscal year. The city council shall have  
15 power to accept, with or without amendments, or reject the proposed plan and proposed  
16 budget. 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 budget, except to meet a public emergency as provided in Section 2.24  
19 of this charter.

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

7 (2) It is made or authorized by the city council and such approval is entered in the city  
8 council journal of proceedings pursuant to Section 2.19 of this charter.

9 **SECTION 6.32.**

10 Centralized purchasing.

11 The city council shall by ordinance prescribe procedures for a system of centralized  
12 purchasing for the city.

13 **SECTION 6.33.**

14 Sale and lease of city property.

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

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

21 (c) Whenever in opening, extending, or widening any street, avenue, alley, or public place  
22 of the city a small parcel or tract of land is cut off or separated by such work from a larger  
23 tract or boundary of land owned by the city, the city council may authorize the city manager  
24 to sell and convey said cutoff or separated parcel or tract of land to an abutting or adjoining  
25 property owner or owners where such sale and conveyance facilitates the enjoyment of the  
26 highest and best use of the abutting owner's property. Included in the sales contract shall be  
27 a provision for the rights of way of said street, avenue, alley, or public place. Each abutting  
28 property owner shall be notified of the availability of the property and given the opportunity  
29 to purchase said property under such terms and conditions as set out by ordinance. All deeds  
30 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 elected and appointed, shall execute such surety  
8 or fidelity bonds in such amounts and upon such terms and conditions as the city council  
9 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 90 days before or during which the existing city council shall pass a  
20 transition ordinance detailing the changes in personnel and appointed 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 and definitions.

(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.

(d) Except as specifically provided otherwise by this charter, the term:

(1) "City council" means the members of the city council and the mayor.

(2) "Councilmember" means a member of the city council other than the mayor.

**SECTION 7.15.**

## Repealer.

An Act incorporating the City of Morrow, Georgia in the County of Clayton, approved April 10, 1971 (Ga. L. 1971, p. 3998), is hereby repealed in its entirety and all amendatory acts thereto are likewise repealed in their entirety.

**SECTION 7.16.**

## General repealer.

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

APPENDIX A**LEGAL DESCRIPTION****CITY OF MORROW**

The corporate limits of the City of Morrow shall include all that tract or parcel of land lying and being in Land Lots 82, 83, 110, 111, 112, 113, 114, 115, 142, 143, 144, 145, 146 and 147 of the 12th District of Clayton County, Georgia, and in Land Lots 112, 113, 144 and 145 of the 13th District of Clayton County, Georgia, and being more particularly described as follows:

Beginning at the northwest corner of the city limits of the City of Morrow, Georgia, as described in the Charter of the City of Morrow as enacted March 2, 1943, wherein, said original city limits are described as being in the form of a rectangle, one mile wide, and two miles long. The center of the same shall be the Depot of the Central of Georgia Railroad

1 across the public road from Mrs. C. L. Murphy's store and said starting point being further  
2 described in the city records as the United States Coastal and Geodetic Monument set at the  
3 old depot; thence measuring 1 mile north and 1 mile south and 1/2 mile west and 1/2 mile  
4 east from said Depot. From the beginning point thus established, run south along the west  
5 original city limit line to a point on the north line of Land Lot 144 of the 12th District, this  
6 line to include Lot 20 of Hollywood Subdivision within the city limits; thence westerly along  
7 said land lot line 156 feet to a point; thence southerly 150 feet to a point; thence westerly 871  
8 feet to a point on the west line of said Land Lot 144 and being a point on the district line  
9 dividing the 12th and 13th districts; thence north along said district line and land lot line of  
10 Land Lots 144 and 145 to the south side of the Georgia Power Company transmission line  
11 right-of-way; thence westerly along said right-of-way to the west side of Phillips Drive  
12 right-of-way; thence south along the west side of said right-of-way of Phillips Drive to a  
13 point 212 feet south of the south side of Ponderosa Park Drive; thence west 648 feet to a  
14 point; thence south to a point on the north side of Morrow Road right-of-way; thence  
15 westerly along the north side of Morrow Road right-of-way to a point 153 feet east of  
16 Morrow Cove right-of-way; thence south 600 feet, more or less, to a point on Conine Creek;  
17 thence southeasterly along said creek 1,200 feet, more or less, to a point on the north line of  
18 Land Lot 144 of the 13th District; thence in a southerly direction along said Conine Creek  
19 to a point on the south right-of-way of Interstate 75; thence northwesterly along said southern  
20 right-of-way of Interstate 75, 31.9 feet to a point; thence northwest 77 degrees 30 minutes  
21 a distance of 993.1 feet to a point; thence south 01 degree 25 minutes 30 seconds east 457.3  
22 feet; thence south 00 degrees 31 minutes 30 seconds west 1,177.6 feet; thence southerly to  
23 a point on the aforementioned Conine Creek and following said creek southwesterly to a  
24 point on the south right-of-way of Mt. Zion Road; thence southeasterly along the southern  
25 right-of-way of Mt. Zion Road to a point 150 feet westerly of the intersection with Kelly  
26 Avenue; thence south 01 degree 11 minutes 15 seconds east 203.17 feet; thence south 85  
27 degrees 12 minutes 00 seconds east 149.64 feet to a point on the west side of said Kelly  
28 Avenue; thence north 01 degree 11 minutes 15 seconds west 200 feet to a point on the south  
29 side of Mt. Zion Road; thence following the south side of Mt. Zion Road to a point on the  
30 district line, separating the 12th and 13th district, said district line also being the land lot line  
31 separating Land Lot 112 of the 12th District and 145 of the 13th District; thence leaving said  
32 southerly right-of-way of Mt. Zion Road, south 01 degree 12 minutes 07 seconds east 502.8  
33 feet to a 1/2 inch rebar found; thence north 89 degrees 13 minutes 51 seconds east 339.3 feet  
34 to a 1/2 inch rebar; thence north 00 degrees 39 minutes 30 seconds west 476.82 feet to a 1/2  
35 inch rebar on the southerly right-of-way of Mt. Zion Road; thence easterly along the southern  
36 right-of-way of Mt. Zion road to a point on the original west city limits line; thence south  
37 along the west original city limits line to the southwest corner of the original city limits;

1 thence east along the south original city limit line to a point on the southeasterly side of  
2 Highway 54; thence southwesterly along the southeasterly side of Highway 54 a distance of  
3 650 feet, more or less, to the point on the south line of Land Lot 112 of the 12th District;  
4 thence easterly along said south line of Land Lot 112 and Land Lot 111 of said 12th District  
5 to a point 465 feet from the southeast corner of Land Lot 111; thence south 00 degrees 20  
6 minutes 35 seconds west 578.27 feet to a point; thence south 52 degrees 39 minutes 54  
7 seconds east 1,915.61 feet to a point on the west right-of-way line of Mt. Zion Circle; thence  
8 south 52 degrees 39 minutes 54 seconds east 10.72 feet; thence south 73 degrees 37 minutes  
9 51 seconds east 49.98 feet to a point on the east right-of-way line of Mt. Zion Circle; thence  
10 in a northeasterly direction along the curvature of the right-of-way line of Mt. Zion Circle  
11 an arc distance of 313.57 feet; thence along said right-of-way line 37 degrees 00 minutes 44  
12 seconds east 239.07 feet; thence along an arc distance of 94.62 feet; thence north 15 degrees  
13 26 minutes 10 seconds east a distance of 83.37 feet; thence north 15 degrees 26 minutes 10  
14 seconds east a distance of 393.86 feet to a point on the southwest right-of-way line of Mt.  
15 Zion Road; thence crossing Mt. Zion Road perpendicular 80 feet to a point on the northeast  
16 side of Mt. Zion Road; thence southeasterly along said right-of-way 20 feet, more or less, to  
17 a point; thence south 42 degrees 20 minutes 03 seconds east 183.37 feet; thence south 44  
18 degrees 38 minutes 10 seconds east 20.10 feet to a point; thence leaving said northeast  
19 right-of-way of Mt. Zion Road, north 45 degrees 25 minutes 20 seconds east 152.16 feet;  
20 thence north 37 degrees 47 minutes 44 seconds east 70.78 feet; thence north 61 degrees 31  
21 minutes 55 seconds east 388.41 feet; thence north 28 degrees 28 minutes 05 seconds west  
22 36.29 feet; thence north 16 degrees 10 minutes 18 seconds east 62.13 feet; thence north 61  
23 degrees 31 minutes 55 seconds east 174.92 feet; thence north 13 degrees 51 minutes 34  
24 seconds east 54.10 feet; thence north 61 degrees 31 minutes 55 seconds east 44.23 feet;  
25 thence north 28 degrees 28 minutes 05 seconds west 79.41 feet; thence north 61 degrees 31  
26 minutes 55 seconds west 75 feet to a point on the southwesterly right-of-way of Interstate 75;  
27 thence north 52 degrees 26 minutes 35 seconds west along said southwest right-of-way of  
28 Interstate 75 390.06 feet to a concrete monument found; thence north 48 degrees 38 minutes  
29 13 seconds west 280.4 feet to a 1/2" rebar found, said point being the intersection of the  
30 south right-of-way line of Alma Court and the south right-of-way of Interstate 75; thence  
31 north 37 degrees 45 minutes 09 seconds east across Interstate 75 a distance of 316.4 feet to  
32 a point located on the northeast right-of-way of Interstate 75; thence northwesterly along said  
33 right-of-way of Interstate 75 to a point 280 feet, more or less, southeasterly of the  
34 Intersection of said right-of-way of Interstate 75 and the center line of Panther Creek; thence  
35 north 46 degrees 16 minutes 45 seconds east 74.59 feet to a 1/2 inch rebar found; thence  
36 north 53 degrees 58 minutes 33 seconds west 172.3 feet to a 1 inch open top pipe found;  
37 thence north 16 degrees 54 minutes 34 seconds west 1,811.11 feet to an iron pin axle found

1 on the land lot line between Land Lots 110 and 115 of the 12th District; thence south 89  
2 degrees 46 minutes 00 seconds west 730 feet, more or less, to a point on the original eastern  
3 boundary of the City of Morrow; thence northerly along said original east line of Morrow to  
4 a point on the eastern right-of-way of Meadowbrook Lane, where it intersects with the  
5 northern right-of-way of Pershing Way; thence southeasterly along the northern right-of-way  
6 of Pershing Way 173.1 feet; thence northerly 116.2 feet; thence northwesterly 153 feet to a  
7 point on the eastern right-of-way of Meadowbrook Lane; thence northerly along said  
8 right-of-way 275 feet, more or less, to an intersection with the northerly right-of-way of  
9 Argon Drive; thence easterly along said right-of-way of Argon Drive 184.3 feet, more or  
10 less; thence northwesterly 93.9 feet, more or less; thence northwesterly 125 feet, more or  
11 less, to a point on said easterly right-of-way of Meadowbrook Lane; thence north along the  
12 east side of Meadowbrook Lane to a point 190 feet south of the south side of Lake Harbin  
13 Road; thence west to a point 65 feet west of the west side of Meadowbrook Lane; thence  
14 northerly to the north side of Lake Harbin Road (this description is intended to exclude the  
15 lot at the southwest corner of Meadowbrook Lane and Lake Harbin Road); thence easterly  
16 along the northern right-of-way of Lake Harbin Road to the east side of Meadowbrook Lane;  
17 thence northerly along said eastern right-of-way of Meadowbrook Lane 408.6 feet, more or  
18 less, to the intersection with the southerly right-of-way of Carla Drive; thence easterly along  
19 southern right-of-way of Carla Drive 110 feet, more or less, to a point; thence leaving said  
20 right-of-way of Carla Drive, south 215.6 feet to a point (excluding herefrom is Lots 10, 11  
21 and 12 of Block D, Morrow Woods Subdivision, Unit 3); thence easterly 801.6 feet to a point  
22 on the western right-of-way of Carla Drive; thence south along with west side of Carla Drive  
23 to a point on the south side of Lake Harbin Road; thence east along south side of Lake  
24 Harbin Road to a point 120 feet west of the intersection with the southerly right-of-way of  
25 Lake Harbin Road and the western right-of-way of Peacock Boulevard; thence southerly 600  
26 feet, more or less, along the rear of Lots 8 through 13, Block A of Pinecrest Forest  
27 Subdivision, Section 3; thence easterly 199.7 feet to an iron pin on the western side of  
28 Peacock Boulevard; thence easterly across Peacock Boulevard to the point on the easterly  
29 right-of-way of Peacock Boulevard; thence northerly along the eastern side of Peacock  
30 Boulevard to a point on the north right-of-way of Lake Harbin Road; thence easterly along  
31 the north right-of-way of Lake Harbin Road 200 feet, more or less, to a point at the southeast  
32 corner of Section A, Unit 4, Morrow Woods Subdivision; thence north along the east line of  
33 Morrow Woods Subdivision 1,470 feet, more or less, to a point; thence west along the north  
34 line of Morrow Woods Subdivision 1,116 feet, more or less, to a point on the easterly side  
35 of Candlelight Estates; thence north 01 degree 09 minutes 00 seconds east a distance of 1,035  
36 feet to a point; thence north 56 degrees 08 minutes 04 seconds west a distance of 93.90 feet  
37 to a point; thence north 00 degrees 42 minutes 04 seconds west a distance of 127 feet to a

1 point on the southerly right-of-way of Mitchell Street; thence north 01 degrees 09 minutes  
2 01 seconds east a distance of 80 feet to a point on the north right-of-way of Mitchell Street;  
3 thence north 89 degrees 10 minutes 30 seconds west a distance of 388.8 feet, more or less,  
4 to a point on the east original city limit line of the City of Morrow; thence north along the  
5 east original city limit line of the City of Morrow, 2,511 feet, more or less, to a point on the  
6 south line of property conveyed to Clayton County Board of Education by Dallas P. Williams  
7 as recorded in Deed Book 453, Page 664 of Clayton County records; thence east along the  
8 south side of said tract, 1,200 feet to a point; thence north along the east side of said tract 525  
9 feet to a point; thence west along the north side of said tract 1,100 feet more or less, to a  
10 point on the east original city limit line of the City of Morrow; thence north 400 feet, more  
11 or less, to the northeast original corner of the City of Morrow; thence west along the north  
12 original line of the city limits of Morrow 1 mile to the northwest corner and the point of  
13 beginning.