

House Bill 663

By: Representative Massey of the 24th

A BILL TO BE ENTITLED
AN ACT

1 To provide a new charter for the Town of Braselton; to provide for incorporation, boundaries,
2 and powers of the town; to provide for a governing authority of such town 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 town 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
10 town attorney, a town clerk, and other personnel and matters relating thereto; to provide for
11 rules and regulations; to provide for a municipal court and the judge or judges thereof and
12 other matters relative to those judges; to provide for the court's jurisdiction, powers,
13 practices, and procedures; to provide for the right of certiorari; to provide for elections; to
14 provide for taxation, licenses, and fees; to provide for franchises, service charges, and
15 assessments; to provide for bonded and other indebtedness; to provide for auditing,
16 accounting, budgeting, and appropriations; to provide for contracts and purchasing; to
17 provide for the conveyance of property and interests therein; to provide for bonds for
18 officials; to provide for prior ordinances and rules, pending matters, and existing personnel;
19 to provide for penalties; to provide for definitions and construction; to provide for other
20 matters relative to the foregoing; to repeal a specific Act; to provide for effective dates; to
21 repeal conflicting laws; and for other purposes.

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

1 ARTICLE I

2 INCORPORATION AND POWERS

3 SECTION 1.10.

4 Name.

5 The town and the inhabitants thereof are constituted and declared a body politic and
6 municipal corporation under the name and style Town of Braselton, Georgia, and by that
7 name shall have perpetual succession.

8 SECTION 1.11.

9 Corporate boundaries.

10 (a) The boundaries of the town shall be those existing on the date this charter becomes
11 effective in 2003, with such alterations as may be made from time to time in the manner
12 provided by law. The boundaries of this town at all times shall be shown on a map, a written
13 description, or any combination thereof, to be retained permanently in the office of the town
14 clerk and to be designated, as the case may be: "Official Map of the corporate limits of the
15 Town of Braselton, Georgia." Photographic, typed, or other copies of such map or
16 description certified by the town clerk shall be admitted as evidence in all courts and shall
17 have the same force and effect as with the original map or description. Any subsequent
18 annexation, deannexation, or modification in the corporate boundaries as contemplated in
19 subsection (b) of this section shall be given full force and effect as if fully set forth in the
20 "Official Map of the corporate limits of the Town of Braselton."

21 (b) The town council may provide for the redrawing of any such map by ordinance to reflect
22 lawful changes in the corporate boundaries. A redrawn map shall supersede for all purposes
23 the entire map or maps which it is designated to replace.

24 SECTION 1.12.

25 Powers and construction.

26 (a) The town shall have all powers possible for a town to have under the present or future
27 Constitution and laws of this state as fully and completely as though they were specifically
28 enumerated in this charter. The town shall have all the powers of self-government not
29 otherwise prohibited by this charter or by general law.

30 (b) The powers of the town shall be construed liberally in favor of the town. The specific
31 mention or failure to mention particular powers shall not be construed as limiting in any way
32 the powers of the town.

SECTION 1.13.

Exercise of powers.

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

ARTICLE II**GOVERNMENT STRUCTURE****SECTION 2.10.**

Town council creation; number; election.

The legislative authority of the government of this town, except as otherwise specifically provided in this charter, shall be vested in a town council to be composed of a mayor and four councilmembers. The mayor and councilmembers shall be elected in the manner provided by this charter.

SECTION 2.11.

Town council terms and qualifications for office.

The members of the town council elected pursuant to this charter shall serve for terms of four years and until their respective successors are elected and qualified unless otherwise provided by law. No person shall be eligible to serve as mayor or councilmember unless he or she shall have been a resident of the town at least 180 days prior to the date of qualifying for mayor or councilmember; each shall continue to reside therein during his or her period of service and to be registered and qualified to vote in municipal elections of this town.

SECTION 2.12.

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. The town shall reapportion such districts as necessary and in conjunction with the successive census in compliance with state and federal law.

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

Beginning at a point where the existing town limits intersects 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 a point at which the town limits turn easterly; thence running easterly along the current town limits to a point at which the current town limits turn northerly; thence running northerly along the existing town limits to a point at which the existing town limits turn easterly; thence running easterly along the existing town limits to a point at which the existing town limits turn southerly; thence running southerly along the existing town limits to a point at which the existing town limits turn westerly; thence running westerly along the existing town limits to a point at which the existing town limits turn southerly; thence running southerly along the existing town limits to the intersection of Zion Church Road; thence running westerly along the centerline of Zion Church Road to its Pinecrest Street to its intersection with Davis Street; thence running westerly along the centerline of Davis Street to its intersection with State Highway 53 (Green Street); thence running generally northerly to the interchange of State Highway 53 (Green Street) with Interstate 85; thence running westerly along the centerline of Intersection 85 to its intersection with the existing town limits at Jesse Cronin Road; thence running northwesterly along the existing town limits to a point at which the existing town limits turn northerly; thence running northerly to a point at which the existing town limits turn easterly; thence running easterly along the existing town limits to a point which the existing town limits turn southerly; thence running southerly along the existing town limits to a point at which the existing town limits turn easterly; thence running easterly along the existing town limits to a point at which the existing town limits turn northerly; thence running northerly along the existing town limits to a point at which the existing town limits turn northeasterly; thence running northeasterly along the existing town limits to a point at which the existing town limits turn easterly; thence running easterly along the existing town limits to a point at which the existing town limits turn northeasterly; thence running northeasterly along the existing town limits to the intersection of the existing town limits with Ednaville Road; thence running easterly along the centerline of Ednaville Road to a point at which the existing town limits turn southerly; thence running southerly along the existing town limits to a point at which the existing town limits turn easterly; thence running easterly along the existing town limits to a point at which the existing town limits intersects State Highway 53 at the point of beginning.

The boundaries of District 2 shall be as follows:

Beginning at a point at the intersection of the centerlines of Davis Street and State Highway 53 (Green Street) and thence running southerly along the centerline of State Highway 53 (Green Street) to its intersection with the existing town limits; thence running easterly along the existing town limits to a point at which the existing town limits turn northerly;

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

16 The boundaries of District 3 shall be as follows:

17 Beginning at a point where the centerline of State Highway 53 (Green Street) crosses the
18 centerline of Interstate 85 and thence running southerly along the centerline of State
19 Highway 53 (Green Street) to its intersection with the existing town limits at Henry Street;
20 running thence westerly along the existing town limits in the centerline of Henry Street to
21 a point at which the existing town limits turn southerly; thence running southerly along the
22 existing town limits to a point at which the existing town limits turn westerly; thence
23 running westerly along the existing town limits to a point at which the existing town limits
24 turn southwesterly; thence running in an arc southwesterly to the intersection of the
25 existing town limits and Josh Pirkle Road; thence running southwesterly along the
26 centerline of Josh Pirkle Road to a point at which the existing town limits turn
27 northwesterly and leave the right of way of Josh Pirkle Road; thence running northwesterly
28 along the existing town limits to a point at which the existing town limits turn
29 southwesterly; thence running southwesterly along the existing town limits to the
30 intersection of the existing town limits and Josh Pirkle Road; thence running northerly
31 along the centerline of Josh Pirkle road to its intersection with the southern property line
32 of the property located at the southeast corner of the intersection of Josh Pirkle Road and
33 SR 124; thence running northeasterly along the southern boundary of said property to a
34 point at which the property line turns northerly; thence running northerly along the
35 boundary of said property to its intersection with State Route 124; thence running easterly
36 along the centerline of State Highway 124 to its intersection with an unnamed road shown
37 bisecting tax parcel 2C on the Braselton tax map; thence running northwesterly along the

centerline of such unnamed road to its intersection with the existing town limits adjacent to the southern right of way of Interstate 85; thence running easterly along the Interstate 85 right of way to its intersection with the centerline of State Highway 53 (Green Street) at the point of beginning.

The boundaries of District 4 shall be as follows:

Beginning at a point at the intersection of an unnamed road bisecting tax parcel 2C on the Braselton tax map and the existing town limits along the southern right of way of Interstate 85 and thence running southerly along the centerline of said unnamed road to its intersection with State Highway 124; thence running westerly along the centerline of State Highway 124 to its intersection with the eastern property line of the property located at the southeast corner of the intersection of State Route 124 and Josh Pirkle Road; thence running southerly along the eastern boundary of said property to a point at which the property line turns southwesterly; thence running southwesterly along the boundary of said property to the centerline of Josh Pirkle Road; thence running southerly along the centerline of Josh Pirkle Road to its intersection with the existing town limits; thence running southwesterly along the existing town limits to a point at which the existing town limits turn westerly; thence running westerly along the existing town limits to a point at which the existing town limits turn northwesterly; thence running northwesterly along the existing town limits to a point at which the existing town limits turn southwesterly; thence running southwesterly along the existing town limits to the intersection of the existing town limits with State Highway 211; thence running northerly along the existing town limits in the centerline of State Highway 211 to the intersection of State Highway 211 with State Highway 124; thence running northeasterly along the existing town limits in the centerline of State Highway 124 to a point at which the existing town limits turn northeasterly; thence running northeasterly along the existing town limits to a point at which the existing town limits turn northerly; thence running northerly along the existing town limits to a point at which the existing town limits turn northwesterly; thence running northwesterly along the existing town limits to a point at which the existing town limits turn westerly; thence running westerly along the town limits, crossing the right of way of State Highway 211, to a point at which the existing town limits turn southerly; thence running southerly along the existing town limits to a point at which the existing town limits turn southwesterly; thence running southwesterly along the existing town limits to a point at which the existing town limits turn southerly; thence running southerly along the existing town limits, crossing the right of way of Interstate 85, to a point at which the existing town limits turn southeasterly; thence running southeasterly along the existing town limits to a point at which the existing town limits turn southerly; thence running southerly along the existing town limits to a point at which the existing town limits turn southeasterly; thence running

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

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

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

1 the centerline of State Highway 211 to a point at which the existing town limits turn
2 southwesterly along the existing town limits to a point at which the existing town limits
3 turn westerly; thence running westerly along the existing town limits to a point at which
4 the existing town limits turn northwesterly; thence running northwesterly along the existing
5 town 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 turn
7 southerly; thence running southerly along the existing town limits to a point at which the
8 existing town limits turn easterly; thence running easterly, crossing the right of way of
9 State Highway 211, to a point at which the existing town limits turn northeasterly; thence
10 running northeasterly along the existing town limits to a point at which the existing town
11 limits turn southeasterly; thence running southeasterly along the existing town limits to a
12 point at which the existing town limits turn northeasterly; thence running northeasterly
13 along the existing town limits to a point at which the existing town limits turn
14 southeasterly; thence running southeasterly along the existing town limits to a point at
15 which the existing town limits turn northeasterly; thence running northeasterly along the
16 existing town limits to a point at which the existing town limits turn easterly; thence
17 running easterly along the existing town limits to their intersection with the Mulberry River
18 at which the existing town limits turn southerly in the direction of the flow of the Mulberry
19 River; thence southerly along the existing town limits in the center of the Mulberry River
20 to a point at which the existing town limits leave the center of the Mulberry River and turn
21 southwesterly; thence running southwesterly along the existing town limits to a point at
22 which the existing town limits turn southerly; thence running southerly along the existing
23 town limits to the intersection of the existing town limits with the southern right of way
24 of Interstate 85; thence running northeasterly along the existing town limits adjacent to the
25 southern right of way of Interstate 85 to the point of beginning.

26 (c) *Elections.* The election of the mayor and town councilmembers shall be decided by
27 majority of votes cast. In the event no candidate receives a majority of the votes cast for a
28 particular office, a run-off election shall be held as provided by law between the two
29 candidates receiving the highest number of votes for such office. The candidate receiving
30 a majority of the votes cast in such run-off election shall be declared the winner. Only a
31 resident of a particular council district may qualify for election from such district and shall
32 be elected by a majority of the voters voting only in such district, and each town
33 councilmember shall continue to reside in the district from which he or she was elected
34 during his or her term of office. The mayor shall be a resident of the Town of Braselton.
35 Any town councilmember who moves his or her residence from the district from which he
36 or she was elected shall be deemed to have vacated his or her office. There shall be no

primary elections for mayor and town councilmembers in the Town of Braselton and elections for mayor and town councilmembers shall be nonpartisan.

(d) *Terms of office.* All town councilmembers and the mayor elected pursuant to this charter shall serve a term of office of four years and until their respective successors are elected and qualified.

SECTION 2.13.

Vacancy; filling of vacancies.

(a) The office of mayor or councilmember shall become vacant upon the incumbent's death, resignation, forfeiture of office, or removal from office in any manner authorized by this charter or the general laws of the State of Georgia.

(b) A vacancy in the office of mayor or councilmember shall be filled for the remainder of the unexpired term, if any, as provided for in Section 5.12 of this charter.

SECTION 2.14.

Compensation and expenses.

The mayor and each councilmember shall continue to receive the compensation which was in effect for said officials on the effective date of this charter. Changes in such compensation shall be accomplished pursuant to the provisions of Code Section 36-35-4 of the O.C.G.A.

SECTION 2.15.

Conflicts of interest; holding other offices.

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

(1) Engage in any business or transaction or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties or which would tend to impair the independence of his or her judgment or action in the performance of his or her official duties;

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

(3) Disclose confidential information concerning the property, government, or affairs of the governmental body by which he or she is engaged without proper legal authorization

1 or use such information to advance the financial or other private interest of himself or
2 herself or others;

3 (4) Accept any valuable gift, whether in the form of service, loan, object, or promise,
4 from any person, firm, or corporation which to his or her knowledge is interested, directly
5 or indirectly, in any manner whatsoever in business dealings with the governmental body
6 by which he or she is engaged; provided, however, that an elected official who is a
7 candidate for public office may accept campaign contributions and services in connection
8 with any such campaign;

9 (5) Represent other private interests in any action or proceeding against this town or any
10 portion of its government; or

11 (6) Vote or otherwise participate in the negotiation or in the making of any contract with
12 any business or entity in which he or she has a financial interest.

13 (b) *Disclosure.* Any elected official, appointed officer, or employee who shall have any
14 private financial interest, directly or indirectly, in any contract or matter pending before or
15 within any department of the town shall disclose such private interest to the town council.
16 The mayor or any councilmember who has a private interest in any matter pending before
17 the town council shall disclose such private interest and such disclosure shall be entered on
18 the records of the town council, and he or she shall disqualify himself or herself from
19 participating in any decision or vote relating thereto. Any elected official, appointed officer,
20 or employee of any agency or political entity to which this charter applies who shall have any
21 private financial interest, directly or indirectly, in any contract or matter pending before or
22 within such entity shall disclose such private interest to the governing body of such agency
23 or entity.

24 (c) *Use of public property.* No elected official, appointed officer, or employee of the town
25 or any agency or entity to which this charter applies shall use property owned by such
26 governmental entity for personal benefit, convenience, or profit, except in accordance with
27 policies promulgated by the town council or the governing body of such agency or entity.

28 (d) *Contracts voidable or rescindable.* Any violation of this section which occurs with the
29 knowledge, express or implied, of a party to a contract or sale shall render said contract or
30 sale voidable at the option of the town council.

31 (e) *Ineligibility of elected official.* Except where authorized by law, neither the mayor nor
32 any councilmember shall hold any other elective or compensated appointive office in the
33 town or otherwise be employed by said government or any agency hereof during the term for
34 which he or she was elected. No former mayor and no former councilmember shall hold any
35 compensated appointive office in the town until one year after the expiration of the term for
36 which he or she was elected.

(f) *Political activities of certain officers and employees.* No appointive officer and no employee of the town shall continue in such employment upon qualifying as a candidate for nomination or election to any public office.

(g) *Penalties for violations.*

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

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

SECTION 2.16.

Inquiries and investigations.

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

SECTION 2.17.

General power and authority of the town council.

Except as otherwise provided by this charter, the town council shall be vested with all the powers of government of this town as provided by Article I of this charter.

SECTION 2.18.

Organizational meetings.

The town council shall hold an organizational meeting on the first business day of January, or as otherwise practical, of each year. The meeting shall be called to order and the oath of office shall be administered to the newly elected members as follows:

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

SECTION 2.19.**Regular and special meetings.**

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

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

SECTION 2.20.**Rules of procedure.**

(a) The town council shall adopt its rules of procedure and order of business consistent with the provisions of this charter.

(b) All committees and committee chairpersons shall be appointed by the mayor and shall serve at his or her pleasure. The mayor shall have the power to appoint new members to any committee at any time.

SECTION 2.21.**Quorum; voting.**

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

SECTION 2.22.

Ordinance form; procedures.

(a) Every proposed ordinance should be introduced in writing and in the form required for final adoption. No ordinance shall contain any subject which is not expressed in its title. The enacting clause shall be "The Mayor and Council of the Town of Braselton hereby ordains ..." and every ordinance shall so begin.

(b) An ordinance may be introduced by the mayor or any councilmember and be read at a regular or special meeting of the town council. Ordinances shall be considered and adopted or rejected by the town council in accordance with the rules which it shall establish; provided, however, that an ordinance may be adopted the same day it is introduced. 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 town council may designate.

SECTION 2.23.

Action requiring an ordinance.

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

SECTION 2.24.

Emergencies.

To meet a public emergency affecting life, health, property, or public peace the town 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 or the mayor and two 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

1 which it was adopted, but this shall not prevent reenactment of the ordinance in the manner
2 specified in this section if the emergency still exists. An emergency ordinance also be
3 repealed by adoption of a repealing ordinance in the same manner specified herein for
4 adoption of emergency ordinances.

5 **SECTION 2.25.**

6 Codes of technical regulations.

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

10 (1) The requirements of subsection (b) of Section 2.22 of this charter for distribution and
11 filing of copies of the ordinance shall be construed to include copies of any code of
12 technical regulations, as well as the adopting ordinance; and

13 (2) A copy of each adopted code of technical regulations, as well as the adopting
14 ordinance, shall be authenticated and recorded by the clerk pursuant to Section 2.26 of
15 this charter.

16 (b) Copies of any adopted code of technical regulations shall be made available by the clerk
17 for distribution or for purchase at a reasonable price.

18 **SECTION 2.26.**

19 Signing; authenticating; recording; codification; printing.

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

22 (b) The town council shall provide for the preparation of a general codification of all the
23 ordinances of the town having the force and effect of law. The general codification shall be
24 adopted by the town council by ordinance and shall be published promptly, together with all
25 amendments thereto and such codes of technical regulations and other rules and regulations
26 as the town council may specify. This compilation shall be known and cited officially as
27 "The Code of the Town of Braselton, Georgia." Copies of the code shall be furnished to all
28 officers, departments, and agencies of the town and made available for purchase by the
29 public at a reasonable price as fixed by the town council.

30 (c) The town council shall cause each ordinance and each amendment to this charter to be
31 printed promptly following its adoption, and the printed ordinances and charter amendments
32 shall be made available for purchase by the public at reasonable prices to be fixed by the
33 town council. Following publication of the first code under this charter and at all times

thereafter, the ordinances and charter amendments shall be printed in substantially the same style as the code currently in effect and shall be suitable in form for incorporation therein. The town council shall make such further arrangements as deemed desirable with reproduction and distribution of any current changes in or additions to codes of technical regulations and other rules and regulations included in the code.

SECTION 2.27.

Election of mayor; forfeiture; compensation.

The mayor shall be elected and serve for a term of four years and until his or her successor is elected and qualified. He or she shall be a qualified elector of this town and shall have been a resident of the town for at least 180 days preceding his or her qualification for office. He or she shall continue to reside in this town during the period of his service. He or she shall forfeit his or her office on the same grounds and under the same procedure as for councilmembers. The compensation of the mayor shall be established in the same manner as for councilmembers.

SECTION 2.28.

Mayor pro tempore.

At the organizational meeting, by a majority vote, the town council shall elect a councilmember to serve as mayor pro tempore for that ensuing year. The mayor pro tempore shall assume the duties and powers of the mayor during the mayor's disability or absence. Any such disability or absence shall be declared by a majority vote of the town council.

SECTION 2.29.

Powers and duties of mayor.

The mayor shall:

- (1) Preside at all meetings of the town council;
- (2) Be at the head of the town for the purpose of service of process and for ceremonial purposes and be the official spokesman for the town and the chief advocate of policy;
- (3) Have the power to administer oaths and to take affidavits;
- (4) Sign as a matter of course on behalf of the town all written and approved contracts, ordinances, and other instruments executed by the town which by law are required to be in writing;

- 1 (5) Vote on matters before the town council, make a respective motion, and be counted
2 toward a quorum as any other councilmember; and
3 (6) Fulfill such other duties as the town council shall by ordinance establish.

4 ARTICLE III

5 ADMINISTRATIVE AFFAIRS

6 SECTION 3.10.

7 Administrative and service departments.

8 (a) Except as otherwise provided in this charter, the town council by ordinance shall
9 prescribe the functions or duties of and establish, abolish, or alter all nonelective offices,
10 positions of employment, departments, and agencies of the town, as necessary for the proper
11 administration of the affairs and government of this town.

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

15 (c) All appointive officers and directors of departments shall receive such compensation as
16 prescribed by ordinances or as duly approved by the town council.

17 (d) There shall be an individual who shall be the director, supervisor, or department head,
18 or other title as designated, of each department or agency who shall be its principal officer.
19 This person, along with the police chief and town clerk, shall be subject to the direction and
20 supervision of the town manager, and be responsible for the administration and direction of
21 the affairs and operations of the department or agency.

22 (e) With the exception of the police chief, the town manager shall appoint and hire all
23 employees of the town to fill designated or approved positions. The town manager shall
24 recommend the appointment and hiring of the police chief but said individual shall be
25 approved only by a vote of the town council.

26 (f) The town manager may reprimand, suspend, or remove any employee under his or her
27 supervision; provided, however, that such employee shall enjoy any right of appeal to the
28 town council as set forth or defined by the town's personnel policies. If discipline of the
29 police chief leads to a recommendation of dismissal or suspension, the town manager must
30 seek approval by a vote of three councilmembers.

SECTION 3.11.**Boards, commissions, and authorities.**

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

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

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

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

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

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

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

(h) Except as otherwise provided by this charter or by law or ordinance, each board, commission, or authority of the town shall elect one of its members as chairperson and one member as vice chairperson, and may elect as its secretary one of its members or may appoint as secretary an employee of the town. The town council may establish such bylaws, rules, and regulations, not inconsistent with this charter, an ordinance of the town, or law, as it deems appropriate and necessary for the fulfillment of the duties or the conduct of each board, commission, or authority's affairs. Copies of such bylaws, rules, and regulations shall be filed with the clerk of the town.

SECTION 3.12.

Town attorney.

The town council shall appoint a town attorney and shall provide for the payment of such attorney or attorneys for services rendered to the town. The town attorney shall be responsible for representing and defending the town in all litigation in which the town is a party, shall be the prosecuting officer in the municipal court, shall attend the meetings of the council as directed, shall advise the town council, mayor, and other officers and employees of the town concerning legal aspects of the town's affairs, and shall perform such other duties as may be required of him or her by virtue of his or her position as town attorney.

SECTION 3.13.

Town clerk.

The town council shall appoint a town clerk who shall not be a councilmember. The town clerk shall be custodian of the official town seal, maintain town council records required by this charter, and perform such other duties as may be required by the town council. The town clerk's duties and responsibilities may be further defined or provided by a class specification or job description and shall include any other duties that may be assigned by the town manager.

SECTION 3.14.

Town treasurer/financial officer.

The town council shall appoint a town treasurer/financial officer to collect all taxes, licenses, fees, and other moneys belonging to the town subject to the provisions of this charter and the ordinances of the town and to enforce all laws of Georgia relating to the collection of delinquent taxes and sale or foreclosure for nonpayment of taxes by the town. The town treasurer/financial officer shall also be responsible for the general duties of a treasurer and fiscal officer.

SECTION 3.15.

Town auditor.

The town council may appoint a town auditor to perform the duties of an auditor.

SECTION 3.16.

Town manager.

(a) The town council shall appoint a town manager who shall be the chief administrative officer of the town and manage and direct the daily operations of the town government in accordance with local ordinances, bylaws, and with policies prescribed by the town council.

The town manager shall direct the administrative activities of the town; act as focal point for strategic planning, programming, and budgeting; supervise all town employees; serve as a liaison among the town staff and governing body; assist the general public; and serve on any boards or committees.

(b) The town manager shall specifically:

(1) Discipline, suspend, or remove all employees, excluding the police chief, as further provided by this charter or state law. The manager may designate said authority to the head of a department or office regarding their subordinates;

(2) Appoint and hire, when necessary for the good of the town, all employees to fill a vacancy or approved position, provided that the town council shall appoint and hire the police chief. The town manager shall make a recommendation regarding such position;

(3) Prepare the annual operating and capital budget and any other budget and submit same to the town council and be responsible for administration of same;

(4) Prepare and submit to the town council, as of the end of the fiscal year, a complete report on the finances and administrative activities of the town for the preceding year;

(5) See that all laws, ordinances, and policies are duly enforced; and

(6) Perform other such duties as may be required by the town council, not inconsistent with the town charter, law, or ordinances.

(c) The town manager's duties and responsibilities may be further defined or provided by a class specification or job description or as assigned or designated by the town council.

(d) The town manager shall serve at the pleasure of the town council and may be suspended or removed by a vote of three councilmembers.

SECTION 3.17.

Position classification and pay plans.

The town manager shall be responsible for the preparation of a position classification and pay plan which shall be submitted to the town council for approval. Such plan may apply to all employees of the town and any of its agencies, departments, boards, commissions, or authorities. When a pay plan has been adopted, the town council shall not increase or

1 decrease the salary range applicable to any position except by amendment of such pay plan.
2 For purposes of this section, all elected and appointed town officials are not town employees.

3 **SECTION 3.18.**

4 Personnel policies.

5 The town council shall adopt rules and regulations consistent with this charter concerning:

6 (1) The method of employee selection and probationary periods of employment;

7 (2) The administration of the position classification and pay plan, methods of promotion
8 and application of service ratings thereto, and transfer of employees within the
9 classification plan;

10 (3) Hours of work, vacation, sick leave, and other leaves of absence, overtime pay, and
11 the order and manner in which layoffs shall be effected;

12 (4) Such dismissal hearings as due process may require; and

13 (5) Such other personnel notices as may be necessary to provide for adequate and
14 systematic handling of personnel affairs.

15 **ARTICLE IV**

16 **JUDICIAL BRANCH**

17 **SECTION 4.10.**

18 Creation; name.

19 There shall be a court to be known as the Municipal Court of the Town of Braselton.

20 **SECTION 4.11.**

21 Chief judge; associate judge.

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

24 (b) All judges shall be appointed by the town council.

25 (c) Compensation of the judge or judges shall be fixed by ordinance.

26 (d) Before assuming office, each judge shall take an oath, given by the mayor, that he or she
27 will honestly and faithfully discharge the duties of his or her office to the best of his or her
28 ability and without fear, favor, or partiality.

SECTION 4.12.

Convening.

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

SECTION 4.13.

Jurisdiction; powers.

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

(b) The municipal court shall have the authority to punish those in its presence for contempt and to impose any penalty allowed under state law.

(c) The municipal court may fix punishment for offenses within its jurisdiction and may fix punishment by fine, imprisonment, or alternative sentencing as to not exceed an amount or length as now or hereafter provided by state law.

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

(e) The municipal court shall have authority to establish bail and recognizances to ensure the presence of those charged with violations before said court and shall have discretionary authority to accept cash or personal or real property as surety bond for the appearance of persons charged with violations. Whenever any person shall give bail for his or her appearance and shall fail to appear at the time fixed for trial, his or her bond shall be forfeited by the judge presiding at such time and an execution shall be issued thereon by serving the defendant and his or her sureties with a rule nisi at least two days before a hearing on the rule nisi. In the event that cash or property is accepted in lieu of bond for security for the appearance of a defendant at trial, and if such defendant fails to appear at the time and place fixed for trial, the cash so deposited shall be on order of the judge declared forfeited to the town, or the property so deposited shall have a lien against it for the value forfeited which lien shall be enforceable in the same manner and to the same extent as a lien for town property taxes.

SECTION 4.14.

Certiorari.

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

SECTION 4.15.

Rules for court.

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

ARTICLE V**ELECTIONS AND REMOVAL****SECTION 5.10.**

Nonpartisan elections.

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

SECTION 5.11.

Municipal general elections.

(a) There shall be a municipal general election biennially in the odd-numbered years on the Tuesday next following the first Monday in November.

(b) Those persons serving as councilmembers and mayor on the date this charter becomes effective in 2003, and any person selected to fill a vacancy in such office, shall continue to serve out their terms of office and until their respective successors are elected and qualified. Successors to councilmembers from Council Districts 1 and 3 shall be elected at the municipal general election in 2003 and at every other municipal general election thereafter. Successors to the mayor and councilmembers from Council Districts 2 and 4 shall be elected at the municipal general election in 2005 and at every other municipal general election thereafter. Terms of office for those officers shall begin at the first organizational meeting

provided for under Section 2.18 of this charter immediately following those officers' respective elections.

SECTION 5.12.

Special elections; vacancies.

In the event that the office of mayor or councilmember shall become vacant for any cause whatsoever, the town council or those remaining shall order a special election to fill the balance of the unexpired term of such official; provided, however, that if such vacancy occurs within six months of the expiration of the term of that office, such office shall remain vacant until filled at the municipal general election occurring within those six months. In all other respects, the special election shall be held and conducted in accordance with Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

SECTION 5.13.

Other provisions.

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

SECTION 5.14.

Removal of officers.

(a) The mayor, councilmembers, or other appointed officers provided for in this charter shall be removed from office for any one or more of the following causes:

- (1) Incompetence, misfeasance, or malfeasance in office;
- (2) Conviction of a crime involving moral turpitude;
- (3) Failure at any time to possess any of the qualifications of office as provided by this charter or by law;
- (4) Knowingly violating any express prohibition of this charter;
- (5) Abandonment of office or neglect to perform the duties thereof; or
- (6) Failure for any other cause to perform the duties of office as required by this charter or by state law.

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

(1) By the vote of three councilmembers after an investigative hearing. In the event an elected officer is sought to be removed by the action of the town council, such officer shall be entitled to a written notice specifying the ground or grounds for removal and to a public hearing which shall be held not less than ten days after the service of such written notice. An elected officer sought to be removed from office as provided in this subsection shall have the right of appeal from the decision of the town council to the Superior Court of Jackson County. Such appeal shall be governed by the same rules as govern appeals to the superior court from the probate court; or

(2) By an order of the Superior Court of Jackson County following a hearing on a complaint seeking such removal brought by any resident of the Town of Braselton.

ARTICLE VI

FINANCE

SECTION 6.10.

Property tax.

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

SECTION 6.11.

Millage rate; due dates; payment methods.

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

SECTION 6.12.

Occupation and business taxes.

The town council by ordinance shall have the power to levy such occupation or business taxes as are not denied by law. The town council may classify businesses, occupations, or

professions for the purpose of such taxation in any way which may be lawful and may compel the payment of such taxes as provided in Section 6.18 of this charter.

SECTION 6.13.

Regulatory fees; permits.

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

SECTION 6.14.

Franchises.

(a) The town council shall have the power to grant franchises for the use of this town'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 town council shall determine the duration, terms, whether the same shall be exclusive or nonexclusive, and the consideration for such franchises; provided, however, that no franchise shall be granted for a period in excess of 35 years and no franchise shall be granted unless the town receives just and adequate compensation therefor. The town council shall provide for the registration of all franchises with the town clerk in a registration book kept by the town clerk. The town 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 town council has the authority to impose a tax on gross receipts for the use of this town'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 town 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

1 available within and outside the corporate limits of the town for the total cost to the town of
2 providing or making available such services. If unpaid, such charges shall be collected as
3 provided in Section 6.18 of this charter.

4 **SECTION 6.16.**

5 Special assessments.

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

11 **SECTION 6.17.**

12 Construction; other taxes.

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

16 **SECTION 6.18.**

17 Collection of delinquent taxes and fees.

18 The town council by ordinance may provide generally for the collection of delinquent taxes,
19 fees, or other revenue due the town under this article by whatever reasonable means as are
20 not precluded by law. This shall include providing for the dates when the taxes or fees are
21 due; late penalties or interest; issuance and execution of fi. fas.; creation and priority of liens;
22 making delinquent taxes and fees personal debts of the persons required to pay the taxes or
23 fees imposed; revoking town permits for failure to pay any town taxes or fees; and providing
24 for the assignment or transfer of tax executions.

25 **SECTION 6.19.**

26 General obligation bonds.

27 The town council shall have the power to issue bonds for the purpose of raising revenue to
28 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 town 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.

Fiscal year.

The town 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 town government.

SECTION 6.22.

Contracting procedures.

No contract with the town shall be binding on the town unless:

(1) It is in writing; and

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

ARTICLE VII

GENERAL PROVISIONS

SECTION 7.10.

Bonds for officials.

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

SECTION 7.11.

Existing ordinances, resolutions, rules, and regulations.

Existing ordinances, resolutions, rules, and regulations now in force in the town not in conflict with this charter shall continue in force, unless repealed or amended.

SECTION 7.12.

Existing personnel and officers.

Except as specifically provided otherwise by this charter, all personnel and officers of the town and their rights, privileges, and powers shall continue beyond the time this charter takes effect until changed pursuant to this charter.

SECTION 7.13.

Pending matters.

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

SECTION 7.14.

Construction.

(a) Section captions in this charter are informative only and shall not 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) The phrase "town council" shall denote the governing body of the Town of Braselton which comprises four councilmembers and a mayor. Unless otherwise specified, all votes and actions taken by the governing body of the town shall consist of and include the four councilmembers and the mayor.

SECTION 7.15.

Effective date.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 7.16.

Specific repealer.

An Act incorporating the Town of Braselton, approved August 8, 1916, is repealed in its entirety and all amendatory Acts thereto are likewise repealed in their entirety; provided, however, that those laws found at Ga. L. 1974, p. 3142; Ga. L. 1983, p. 4865; and Ga. L. 1999, p. 4712 shall remain in full force and effect as provided in such laws, ordinances, and regulations. All other laws and parts of laws in conflict with this charter are repealed.

SECTION 7.17.

General repealer.

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