

House Bill 730 (AS PASSED HOUSE AND SENATE)

By: Representatives Sheldon of the 71st, Post 2 and Walker of the 71st, Post 1

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a charter for the City of Dacula, approved February 21, 1978 (Ga.
2 L. 1978, p. 3040), as amended, so as to change certain provisions regarding a quorum and
3 voting; to change certain provisions relating to emergencies; to change certain provisions
4 regarding powers and duties of the mayor; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 An Act creating a charter for the City of Dacula, approved February 21, 1978 (Ga. L. 1978,
8 p. 3040), as amended, is amended by striking Section 2.19 and inserting in its place a new
9 Section 2.19 to read as follows:

10 "SECTION 2.19.

11 Quorum; voting.

12 Three council members shall constitute a quorum and shall be authorized to transact
13 business of the council. Voting on the adoption of ordinances shall be taken by voice vote
14 and the ayes and nays shall be recorded in the minutes of the council but any member of
15 the council shall have the right to request a roll-call vote. The affirmative vote of the
16 majority of those council members present shall be required for the adoption of any
17 ordinance, resolution, or motion except as otherwise provided in this charter."

18 **SECTION 2.**

19 Said Act is further amended by striking Section 2.22 and inserting in its place a new Section
20 2.22 to read as follows:

1 "SECTION 2.22.

2 Emergencies.

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

19 **SECTION 3.**

20 Said Act is further amended by striking subsection (f) of Section 2.27 and inserting a new
21 subsection (f) and adding a new subsection (g) to read as follows:

22 "(f) be entitled to cast his or her vote in order to break a tie vote of the council on any
23 matter; and

24 (g) perform other duties as may be required by general state law, charter, or ordinance."

25 **SECTION 4.**

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