

House Bill 1479 (AS PASSED HOUSE AND SENATE)

By: Representatives Carter of the 159th and Burns of the 157th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to provide a new charter for the City of Rincon, approved April 4, 1997
2 (Ga. L. 1997, p. 3556), as amended, so as to provide for conflicts of interest; to provide for
3 a quorum; to provide for powers and duties of the mayor; to provide for jurisdiction of the
4 municipal court; to provide for appeals; to repeal provisions relating to the removal of
5 officers; to provide for city boards, commissions, and authorities; to repeal conflicting laws;
6 and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act to provide a new charter for the City of Rincon, approved April 4, 1997 (Ga. L.
10 1997, p. 3556), as amended, is amended by striking in its entirety paragraph (4) of
11 subsection (a) of Section 2.14 and inserting in lieu thereof the following:

12 "(a)(4) Accept any valuable gift, whether in the form of service, loan, thing, or promise,
13 from any person, firm, or corporation which to such official, officer, or employee's
14 knowledge is interested, directly or indirectly, in any manner whatsoever, in business
15 dealings with the governmental body by which such person is engaged; provided, however,
16 that an elected official who is a candidate for public office may accept campaign
17 contributions and services in connection with any such campaign; and provided, further,
18 that an elected official may receive a valuable gift, the value of which may not exceed
19 \$100.00 per quarter of a calendar year nor exceed \$250.00 per calendar year; and provided,
20 further, that the same valuable gift must be offered to all council members; and in the event
21 an elected official wishes to accept a gift exceeding these guidelines, then the elected
22 official must obtain a waiver approved by a majority vote of the city council; or"

1 "SECTION 3.11.

2 City boards, city commissions, and city authorities.

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

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

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

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

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

19 (f) No member of a city board, city commission, or city authority shall assume office until
20 such member has executed and filed with the clerk of the city an oath obligating that
21 member to faithfully and impartially perform the duties of office, such oath to be
22 prescribed by ordinance and administered by the mayor.

23 (g) Any member of a city board, city commission, or city authority may be removed from
24 office for cause by a vote of five members of the mayor and council.

25 (h) Except as otherwise provided by this charter or by law, each city board, city
26 commission, or city authority shall elect one of its members as chairperson and one
27 member as vice-chairperson and may elect as its secretary one of its own members or may
28 appoint as secretary an employee of the city. Each city board, city commission, or city
29 authority or the city government may establish such bylaws, rules, and regulations, not
30 inconsistent with this charter, ordinances of the city, or law, as it deems appropriate and
31 necessary for the fulfillment of its duties or the conduct of its affairs. Copies of such
32 bylaws, rules, and regulations shall be filed with the clerk of the city."

33 **SECTION 5.**

34 Said Act is further amended by striking subsection (b) of Section 4.13 and inserting in lieu
35 thereof the following:

