

House Bill 1033

By: Representative Hudson of the 124th

A BILL TO BE ENTITLED
AN ACT

1 To provide a new charter for the City of Edgehill in Glascock County; to provide for
2 incorporation, boundaries, and powers of the city; to provide for a governing authority of
3 such city and the powers, duties, authority, election, terms, method of filling vacancies,
4 compensation, qualifications, prohibitions, and removal from office relative to members of
5 such governing authority; to provide for inquiries and investigations; to provide for
6 organization and procedures; to provide for ordinances and codes; to provide for the office
7 of mayor and certain duties and powers relative to the office of mayor; to provide for
8 administrative responsibilities; to provide for boards, commissions, and authorities; to
9 provide for officers, agents, and personnel of the city; to provide for rules and regulations;
10 to provide for a municipal court and the judge or judges thereof; to provide for practices and
11 procedures; to provide for taxation and fees; to provide for franchises, service charges, and
12 assessments; to provide for bonded and other indebtedness; to provide for accounting and
13 budgeting; to provide for purchases; to provide for the sale of property; to provide for
14 eminent domain; to provide for definitions and construction; to provide for other matters
15 relative to the foregoing; to repeal a specific Act; to repeal conflicting laws; and for other
16 purposes.

17 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

18 **ARTICLE I**
19 **INCORPORATION AND POWERS**
20 **SECTION 1.10.**
21 **Name.**

22 This city and the inhabitants thereof are reincorporated by the enactment of this charter and
23 are hereby constituted and declared a body politic and corporate under the name and style
24 City of Edgehill, Georgia, and by that name shall have perpetual succession.

1 authorized by this charter and for any purpose for which a municipality is authorized by
2 the laws of the State of Georgia; and to provide for the payment of expenses of the city;

3 (3) Building Regulation. To regulate and to license the erection and construction of
4 buildings and all other structures; to adopt building, housing, plumbing, fire safety,
5 electrical, gas, and heating and air conditioning codes; and to regulate all housing, and
6 building trades;

7 (4) Business Regulation and Taxation. To levy and to provide for the collection of
8 regulatory fees and taxes on privileges, occupations, trades, and professions as authorized
9 by Title 48 of the O.C.G.A., or other such applicable laws as are or may hereafter be
10 enacted; to permit and regulate the same; to provide for the manner and method of
11 payment of such regulatory fees and taxes; and to revoke such permits after due process
12 for failure to pay any city taxes or fees;

13 (5) Condemnation. To condemn property, inside or outside the corporate limits of the
14 city, for present or future use and for any corporate purpose deemed necessary by the
15 governing authority, utilizing procedures enumerated in Title 22 of the O.C.G.A., or such
16 other applicable laws as are or may hereafter be enacted;

17 (6) Contracts. To enter into contracts and agreements with other governmental entities
18 and with private persons, firms, and corporations;

19 (7) Emergencies. To establish procedures for determining and proclaiming that an
20 emergency situation exists within or without the city, and to make and carry out all
21 reasonable provisions deemed necessary to deal with or meet such an emergency for the
22 protection, safety, health, or well-being of the citizens of the city;

23 (8) Environmental Protection. To protect and preserve the natural resources,
24 environment, and vital areas of the city, the region, and the state through the preservation
25 and improvement of air quality, the restoration and maintenance of water resources, the
26 control of erosion and sedimentation, the management of storm water and establishment
27 of a storm-water utility, the management of solid and hazardous waste, and other
28 necessary actions for the protection of the environment;

29 (9) Fire Regulations. To fix and establish fire limits and from time to time to extend,
30 enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with
31 general law, relating to both fire prevention and detection and to fire fighting; and to
32 prescribe penalties and punishment for violations thereof;

33 (10) Garbage Fees. To levy, fix, assess, and collect a garbage, refuse and trash collection
34 and disposal, and other sanitary service charge, tax, or fee for such services as may be
35 necessary in the operation of the city from all individuals, firms, and corporations
36 residing in or doing business therein benefiting from such services; to enforce the

1 payment of such charges, taxes, or fees; and to provide for the manner and method of
2 collecting such service charges;

3 (11) General Health, Safety, and Welfare. To define, regulate, and prohibit any act,
4 practice, conduct, or use of property which is detrimental to health, sanitation,
5 cleanliness, welfare, and safety of the inhabitants of the city, and to provide for the
6 enforcement of such standards;

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

10 (13) Health and Sanitation. To prescribe standards of health and sanitation and to
11 provide for the enforcement of such standards;

12 (14) Jail Sentences. To provide that persons given jail sentences in the city's court may
13 work out such sentences in any public works or on the streets, roads, drains, and other
14 public property in the city, to provide for commitment of such persons to any jail, to
15 provide for the use of pretrial diversion and any alternative sentencing allowed by law,
16 or to provide for commitment of such persons to any county work camp or county jail by
17 agreement with the appropriate county officials;

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

21 (16) Municipal Agencies and Delegation of Power. To create, alter or abolish
22 departments, boards, offices, commissions, and agencies of the city, and to confer upon
23 such agencies the necessary and appropriate authority for carrying out all the powers
24 conferred upon or delegated to the same;

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

28 (18) Municipal Property Ownership. To acquire, dispose of, lease, and hold in trust or
29 otherwise, any real, personal, or mixed property, in fee simple or lesser interest, inside
30 or outside the property limits of the city;

31 (19) Municipal Property Protection. To provide for the preservation and protection of
32 property and equipment of the city, and the administration and use of same by the public;
33 and to prescribe penalties and punishment for violations thereof;

34 (20) Municipal Utilities. To acquire, lease, construct, operate, maintain, sell, and dispose
35 of public utilities, including but not limited to a system of waterworks, sewers and drains,
36 sewage disposal, storm-water management, gas works, electric light plants, cable
37 television and other telecommunications, transportation facilities, public airports, and any

1 other public utility; and to fix the taxes, charges, rates, fares, fees, assessments,
2 regulations, and penalties, and to provide for the withdrawal of service for refusal or
3 failure to pay the same;

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

6 (22) Penalties. To provide penalties for violation of any ordinances adopted pursuant to
7 the authority of this charter and the laws of the State of Georgia;

8 (23) Planning and Zoning. To provide comprehensive city planning for development by
9 zoning; and to provide subdivision regulation and the like as the city council deems
10 necessary and reasonable to insure a safe, healthy, and aesthetically pleasing community;

11 (24) Police and Fire Protection. To exercise the power of arrest through duly appointed
12 police officers, and to establish, operate, or contract for a police and a firefighting
13 agency;

14 (25) Public Hazards: Removal. To provide for the destruction and removal of any
15 building or other structure which is or may become dangerous or detrimental to the
16 public;

17 (26) Public Improvements. To provide for the acquisition, construction, building,
18 operation, and maintenance of public ways, parks and playgrounds, recreational facilities,
19 cemeteries, markets and market houses, public buildings, libraries, public housing,
20 airports, hospitals, terminals, docks, parking facilities, or charitable, cultural, educational,
21 recreational, conservation, sport, curative, corrective, detentional, penal and medical
22 institutions, agencies and facilities; and to provide any other public improvements, inside
23 or outside the corporate limits of the city; to regulate the use of public improvements; and
24 for such purposes, property may be acquired by condemnation under Title 22 of the
25 O.C.G.A., or such other applicable laws as are or may hereafter be enacted;

26 (27) Public Peace. To provide for the prevention and punishment of loitering, disorderly
27 conduct, drunkenness, riots, and public disturbances;

28 (28) Public Transportation. To organize and operate such public transportation systems
29 as are deemed beneficial;

30 (29) Public Utilities and Services. To grant franchises or make contracts for, or impose
31 taxes on public utilities and public service companies; and to prescribe the rates, fares,
32 regulations and standards and conditions of service applicable to the service to be
33 provided by the franchise grantee or contractor, insofar as not in conflict with valid
34 regulations of the Public Service Commission;

35 (30) Regulation of Roadside Areas. To prohibit or regulate and control the erection,
36 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any
37 and all other structures or obstructions upon or adjacent to the rights-of-way of streets and

1 roads or within view thereof, within or abutting the corporate limits of the city; and to
2 prescribe penalties and punishment for violation of such ordinances;

3 (31) Retirement. To provide and maintain a retirement plan and other employee benefit
4 plans and programs for officers and employees of the city;

5 (32) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade
6 of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise
7 improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and
8 walkways within the corporate limits of the city; and to grant franchises and
9 rights-of-way throughout the streets and roads, and over the bridges and viaducts for the
10 use of public utilities; and to require real estate owners to repair and maintain in a safe
11 condition the sidewalks adjoining their lots or lands, and to impose penalties for failure
12 to do so;

13 (33) Sewer Fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring,
14 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant
15 and sewerage system, and to levy on those to whom sewers and sewerage systems are
16 made available a sewer service fee, charge or sewer tax for the availability or use of the
17 sewers; to provide for the manner and method of collecting such service charges and for
18 enforcing payment of the same; and to charge, impose, and collect a sewer connection fee
19 or fees to those connected with the system;

20 (34) Solid Waste Disposal. To provide for the collection and disposal of garbage,
21 rubbish, and refuse, and to regulate the collection and disposal of garbage, rubbish, and
22 refuse by others; and to provide for the separate collection of glass, tin, aluminum,
23 cardboard, paper, and other recyclable materials, and to provide for the sale of such
24 items;

25 (35) Special Areas of Public Regulation. To regulate or prohibit junk dealers, the
26 manufacture and sale of intoxicating liquors; to regulate the transportation, storage, and
27 use of combustible, explosive, and inflammable materials, the use of lighting and heating
28 equipment, and any other business or situation which may be dangerous to persons or
29 property; to regulate and control the conduct of peddlers and itinerant traders, theatrical
30 performances, exhibitions, and shows of any kind, by taxation or otherwise; to license
31 and tax professional fortunetelling, palmistry, and massage parlors; and to restrict adult
32 bookstores to certain areas;

33 (36) Special Assessments. To levy and provide for the collection of special assessments
34 to cover the costs for any public improvements;

35 (37) Taxes: Ad Valorem. To levy and provide for the assessment, valuation, revaluation,
36 and collection of taxes on all property subject to taxation;

1 (38) Taxes: Other. To levy and collect such other taxes as may be allowed now or in the
2 future by law;

3 (39) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the
4 number of such vehicles; to require the operators thereof to be licensed; to require public
5 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to
6 regulate the parking of such vehicles;

7 (40) Urban Redevelopment. To organize and operate an urban redevelopment program;

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

19 **SECTION 1.14.**

20 Exercise of Powers.

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

25 **ARTICLE II**

26 **GOVERNMENT STRUCTURE**

27 **SECTION 2.10.**

28 City Council Creation; Number; Election.

29 The legislative authority of the government of this city, except as otherwise specifically
30 provided in this charter, shall be vested in a city council to be composed of a mayor and two
31 councilmembers. The city council established shall in all respects be successor to and
32 continuation of the governing authority under prior law. The mayor and councilmembers
33 shall be elected in the manner provided by general law and this charter.

SECTION 2.11.

City Council Terms and Qualifications for Office.

The mayor and 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 mayor's or member'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 incumbent's death, resignation, forfeiture of office, or occurrence of any event specified by the Constitution of the State of Georgia, Title 45 of the O.C.G.A., 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 by the city council or those members remaining.

(c) This provision shall also apply to a temporary vacancy created by the suspension from office of the mayor or any councilmember.

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.

Holding Other Office; Voting When Financially Interested.

(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) Except as authorized by law, the mayor or any councilmember shall not hold any other city office or city employment during the term for which that person was elected.

1 (c) Neither the mayor nor any member of the city council shall vote upon, sign, or veto any
2 ordinance, resolution, contract, or other matter in which that person is financially interested.

3 **SECTION 2.15.**

4 Inquiries and Investigations.

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

11 **SECTION 2.16.**

12 General Power and Authority of the City Council.

13 (a) Except as otherwise provided by law or this charter, the city council shall be vested with
14 all the powers of government of this city.

15 (b) In addition to all other powers conferred upon it by law, the council shall have the
16 authority to adopt and provide for the execution of such ordinances, resolutions, rules, and
17 regulations, not inconsistent with this charter and the Constitution and the laws of the State
18 of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order,
19 protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity,
20 or well-being of the inhabitants of the City of Edgehill and may enforce such ordinances by
21 imposing penalties for violation thereof.

22 **SECTION 2.17.**

23 Eminent Domain.

24 The city council is hereby empowered to acquire, construct, operate, and maintain public
25 ways, parks, public grounds, cemeteries, markets, market houses, public buildings, libraries,
26 sewers, drains, sewage treatment, waterworks, electrical systems, gas systems, airports,
27 hospitals, and charitable, educational, recreational, sport, curative, corrective, detentional,
28 penal and medical institutions, agencies and facilities, and any other public improvements
29 inside or outside the city, and to regulate the use thereof, and for such purposes, property
30 may be condemned under procedures established under general law applicable now or as
31 provided in the future.

SECTION 2.18.

Organizational Meetings.

The city council shall hold an organizational meeting on the second Tuesday in January. The meeting shall be called to order by the mayor or city clerk and the oath of office shall be administered to the newly elected members by a judicial officer authorized to administer oaths and shall, to the extent that it comports with federal and state law, be as follows:

"I do solemnly (swear) (affirm) that I will faithfully perform the duties of (mayor) (councilmember) of this city 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.

I am not the holder of any unaccounted for public money due this state or any political subdivision or authority thereof. I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I by the laws of the State of Georgia am prohibited from holding. I am otherwise qualified to hold said office according to the Constitution and laws of Georgia. I have been a resident of the City of Edgehill for the time required by the Constitution and laws of this state and by the municipal charter. I will perform the duties of my office in the best interest of the City of Edgehill to the best of my ability without fear, favor, affection, reward, or expectation thereof."

SECTION 2.19.

Regular and Special Meetings.

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

(b) Special meetings of the city council may be held on call of the mayor or one member of the city council. Notice of such special meetings shall be served on all other members personally, or by telephone personally, at least 48 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 on any business transacted in such councilmember's presence. Only the business stated in the call may be transacted at the special meeting.

(c) All meetings of the city council shall be public to the extent required by law and notice to the public of special meetings shall be made fully as is reasonably possible as provided by

1 Code Section 50-14-1 of the O.C.G.A., or other such applicable laws as are or may hereafter
2 be enacted.

3 **SECTION 2.20.**

4 Rules of Procedure.

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

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

11 **SECTION 2.21.**

12 Quorum; Voting.

13 (a) The mayor and one councilmember shall constitute a quorum, or in the absence of the
14 mayor, two councilmembers shall constitute a quorum and shall be authorized to transact
15 business of the city council. Voting on the adoption of ordinances shall be by voice vote and
16 the vote shall be recorded in the journal, but any member of the city council shall have the
17 right to request a roll call vote and such vote shall be recorded in the journal. Except as
18 otherwise provided in this charter, the affirmative vote of the mayor and one councilmember
19 or the affirmative vote of two councilmembers shall be required for the adoption of any
20 ordinance, resolution, or motion.

21 (b) No member of the city council shall abstain from voting on any matter properly brought
22 before the council for official action except when such councilmember has a conflict of
23 interest which is disclosed in writing prior to or at the meeting and made a part of the
24 minutes. Any member of the city council present and eligible to vote on a matter and
25 refusing to do so for any reason other than a properly disclosed and recorded conflict of
26 interest shall be deemed to have acquiesced or concurred with the members of the majority
27 who did vote on the question involved.

28 **SECTION 2.22.**

29 Ordinance Form; Procedures.

30 (a) Every proposed ordinance should be introduced in writing and in the form required for
31 final adoption. No ordinance shall contain a subject which is not expressed in its title. The

1 enacting clause shall be "It is hereby ordained by the governing authority of the City of
2 Edgehill" and every ordinance shall so begin.

3 (b) An ordinance may be introduced by the mayor or by any councilmember and be read at
4 a regular or special meeting of the city council. Ordinances shall be considered and adopted
5 or rejected by the city council in accordance with the rules which it shall establish; provided,
6 however, that an ordinance shall not be adopted the same day it is introduced, except for
7 emergency ordinances provided in Section 2.24. Upon introduction of any ordinance, the
8 clerk shall as soon as possible distribute a copy to the mayor and to each councilmember and
9 shall file a reasonable number of copies in the office of the clerk and at such other public
10 places as the city council may designate.

11 **SECTION 2.23.**

12 Action Requiring An Ordinance.

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

14 **SECTION 2.24.**

15 Emergencies.

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

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

5 **SECTION 2.25.**

6 Codes of Technical Regulations.

7 (a) The city 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: (1) the requirements
 10 of Section 2.22(b) for distribution and filing of copies of the ordinance shall be construed to
 11 include copies of any code of technical regulations, as well as the adopting ordinance; and (2)
 12 a copy of each adopted code of technical regulations, as well as the adopting ordinance, shall
 13 be authenticated and recorded by the clerk pursuant to Section 2.26.

14 (b) Copies of any adopted code of technical regulations shall be made available by the clerk
 15 for inspection by the public.

16 **SECTION 2.26.**

17 Signing; Authenticating; Recording; Compilation; Printing.

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

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

28 (c) The city council shall cause each ordinance and each amendment to this charter to be
 29 printed promptly following its adoption, and the printed ordinances and charter amendments
 30 shall be made available for purchase by the public at reasonable prices to be fixed by the city
 31 council. The city council shall make such further arrangements as deemed desirable with
 32 reproduction and distribution of any current changes in or additions to codes of technical
 33 regulations and other rules and regulations included in the compilation.

1 (8) Fulfill such other executive and administrative duties as the city council shall by
2 ordinance establish.

3 **ARTICLE III**

4 **ADMINISTRATIVE AFFAIRS**

5 **SECTION 3.10.**

6 **Administrative and Service Departments.**

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

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

14 (c) All appointive officers and directors of departments shall receive such compensation as
15 prescribed by ordinance or resolution.

16 (d) There shall be a director of each department or agency who shall be its principal officer.
17 Each director shall, subject to the direction and supervision of the city council, be responsible
18 for the administration and direction of the affairs and operations of that director's department
19 or agency.

20 (e) All appointive officers and directors under the supervision of the city council shall be
21 nominated by the mayor with confirmation of appointment by the city council. All appointive
22 officers and directors shall be employees at-will and subject to removal or suspension at any
23 time by the city council unless otherwise provided by law or ordinance.

24 **SECTION 3.11.**

25 **Boards, Commissions, and Authorities.**

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

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

- 1 (c) The city council, by ordinance, may provide for the compensation and reimbursement
2 for actual and necessary expenses of the members of any board, commission, or authority.
3 (d) Except as otherwise provided by charter or by law, no member of any board, commission,
4 or authority shall hold any elective office in the city.
5 (e) Any vacancy on a board, commission, or authority of the city shall be filled for the
6 unexpired term in the manner prescribed herein for original appointment, except as otherwise
7 provided by this charter or by law.
8 (f) No member of a board, commission, or authority shall assume office until that person has
9 executed and filed with the clerk of the city an oath obligating himself to faithfully and
10 impartially perform the duties of that member's office, such oath to be prescribed by
11 ordinance and administered by the mayor.
12 (g) All board members serve at-will and may be removed at any time by a majority vote of
13 the city council unless otherwise provided by law.
14 (h) Except as otherwise provided by this charter or by law, each board, commission, or
15 authority of the city shall elect one of its members as chair and one member as vice-chair,
16 and may elect as its secretary one of its own members or may appoint as secretary an
17 employee of the city. Each board, commission, or authority of the city government may
18 establish such bylaws, rules, and regulations, not inconsistent with this charter, ordinances
19 of the city, or law, as it deems appropriate and necessary for the fulfillment of its duties or
20 the conduct of its affairs. Copies of such bylaws, rules, and regulations shall be filed with the
21 clerk of the city.

22 **SECTION 3.12.**

23 City Attorney.

24 The city council shall appoint a city attorney, together with such assistant city attorneys as
25 may be authorized, and shall provide for the payment of such attorney or attorneys for
26 services rendered to the city. The city attorney shall be responsible for providing for the
27 representation and defense of the city in all litigation in which the city is a party; may be the
28 prosecuting officer in the municipal court; shall attend the meetings of the council as
29 directed; shall advise the city council, mayor, and other officers and employees of the city
30 concerning legal aspects of the city's affairs; and shall perform such other duties as may be
31 required by virtue of the person's position as city attorney. The city attorney is not a public
32 official of the city and does not take an oath of office. The city attorney shall at all times be
33 an independent contractor. A law firm, rather than an individual, may be designated as the
34 city attorney.

SECTION 3.13.

City Clerk.

The city council shall appoint a city clerk who shall not be the mayor or 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.

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 may be created by the city council a court to be known as the Municipal Court of the City of Edgehill. Upon creation, such court shall adhere to the provisions of this article.

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.

(b) No person shall be qualified or eligible to serve as a judge on municipal court unless that person shall have attained the age of 21 years, shall be a member of the State Bar of Georgia, and shall possess all qualifications required by law. All judges shall be appointed by the city council and shall serve until a successor is appointed and qualified.

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

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

(e) Before assuming office, each judge shall take an oath, given by the mayor, that the judge will honestly and faithfully discharge the duties of the office to the best of that person's

1 ability and without fear, favor, or partiality. The oath shall be entered upon the minutes of
2 the city council journal required in Section 2.20.

3 **SECTION 4.12.**

4 Convening.

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

6 **SECTION 4.13.**

7 Jurisdiction; Powers.

8 (a) The municipal court shall have jurisdiction and authority to try and punish violations of
9 this charter, all city ordinances, and such other violations as provided by law.

10 (b) The municipal court shall have authority to punish those in its presence for contempt,
11 provided that such punishment shall not exceed \$200.00 or ten days in jail.

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

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

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

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

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

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

11 **SECTION 4.14.**

12 Certiorari.

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

17 **SECTION 4.15.**

18 Rules for Court.

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

1 ARTICLE V

2 ELECTIONS AND REMOVAL

3 SECTION 5.10.

4 Applicability of General Law.

5 All primaries and elections shall be held and conducted in accordance with the Georgia
6 Election Code, Chapter 2 of Title 21 of the O.C.G.A., as now or hereafter amended.

7 SECTION 5.11.

8 Election of the City Council.

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

11 (b) There shall be elected the mayor and one councilmember at one election and at every
12 other election thereafter. The remaining city council seat shall be filled at the election
13 alternating with the first election so that a continuing body is created. Terms shall be for four
14 years.

15 (c) In order to create a continuing body, the following provisions shall apply until such time
16 the election schedule provided in this section can be implemented:

17 (1) On the Tuesday following the first Monday in November, 2009, an election shall be
18 conducted to elect a mayor and one councilmember. The mayor elected at that time shall
19 take office on January 1, 2010, at the expiration of the term of office of the person
20 serving as mayor on January 1, 2006, W. Durham Milburn. The candidate elected at that
21 time to the council seat held on January 1, 2006 by Dewey Belcher shall take office on
22 January 1, 2010. The mayor and councilmember elected in November, 2009, shall serve
23 for a four-year term expiring December 31, 2013, and until such mayor's or
24 councilmember's successors are elected and qualified. The successors to the positions
25 expiring on December 31, 2013, shall be elected on the Tuesday following the first
26 Monday in November, 2013. The mayor candidate and city council candidate elected in
27 November, 2013, shall serve for a four-year term beginning January 1, 2014, and expiring
28 on December 31, 2017. Thereafter, the election schedule provided in subsections (a) and
29 (b) of this section shall apply.

30 (2) On the Tuesday following the first Monday in November, 2009, an election shall be
31 conducted to elect one councilmember. The candidate elected at that time to the council
32 seat held on January 1, 2006 by Annette Black (which seat is currently held by Gary
33 Kitchens) shall take office on January 1, 2010. The councilmember elected in November,
34 2009 shall serve for a two-year term expiring December 31, 2011, and until such

1 councilmember's successor is elected and qualified. The successor to the position
 2 expiring on December 31, 2011, shall be elected on the Tuesday following the first
 3 Monday in November, 2011. The candidate elected in November, 2011 shall serve for
 4 a four-year term beginning January 1, 2012, and expiring on December 31, 2015.
 5 Thereafter, the election schedule provided in subsections (a) and (b) of this section shall
 6 apply.

7 (3) The council seat held on January 1, 2006, by Roy Black which was vacated by Roy
 8 Black's resignation from city council, which seat is currently vacant (open seat), shall be
 9 abolished.

10 **SECTION 5.12.**

11 Non-Partisan Elections.

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

14 **SECTION 5.13.**

15 Election by Plurality.

16 The person receiving a plurality of the votes cast for any city office shall be elected.

17 **SECTION 5.14.**

18 Other Provisions.

19 Except as otherwise provided by this charter, the city council shall, by ordinance, prescribe
 20 such rules and regulations it deems appropriate to fulfill any options and duties under the
 21 Georgia Election Code.

22 **SECTION 5.15.**

23 Removal of Officers.

24 (a) The mayor, councilmembers, or other appointed officers provided for in this charter shall
 25 be removed from office for any one or more of the causes provided in Title 45 of the
 26 O.C.G.A., or such other applicable laws as are or may hereafter be enacted.

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

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

10 (2) By an order of the Superior Court of Glascock County following a hearing on a
 11 complaint seeking such removal brought by any resident of the City of Edgehill.

12 **ARTICLE VI**

13 **FINANCE**

14 **SECTION 6.10.**

15 **Property Tax.**

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

22 **SECTION 6.11.**

23 **Millage Rate; Due Dates; Payment Methods.**

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

28 **SECTION 6.12.**

29 **Occupation and Business Taxes.**

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

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

3 **SECTION 6.13.**

4 Regulatory Fees; Permits.

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

10 **SECTION 6.14.**

11 Franchises.

12 (a) The city council shall have the power to grant franchises for the use of this city's streets
13 and alleys for the purposes of railroads, street railways, telephone companies, electric
14 companies, electric membership corporations, cable television and other telecommunications
15 companies, gas companies, transportation companies, and other similar organizations. The
16 city council shall determine the duration, terms, whether the same shall be exclusive or
17 nonexclusive, and the consideration for such franchises; provided, however, that no franchise
18 shall be granted for a period in excess of 35 years and no franchise shall be granted unless
19 the city receives just and adequate compensation therefor. The city council shall provide for
20 the registration of all franchises with the city clerk in a registration book kept by the clerk.
21 The city council may provide by ordinance for the registration within a reasonable time of
22 all franchises previously granted.

23 (b) If no franchise agreement is in effect, the city council has the authority to impose a tax
24 on gross receipts for the use of this city's streets and alleys for the purposes of railroads,
25 street railways, telephone companies, electric companies, electric membership corporations,
26 cable television and other telecommunications companies, gas companies, transportation
27 companies, and other similar organizations.

28 **SECTION 6.15.**

29 Service Charges.

30 The city council by ordinance shall have the power to assess and collect fees, charges,
31 assessments, and tolls for sewers, sanitary and health services, or any other services provided

1 or made available within and without the corporate limits of the city. If unpaid, such charges
2 shall be collected as provided in Section 6.18.

3 **SECTION 6.16.**

4 Special Assessments.

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

9 **SECTION 6.17.**

10 Construction; Other Taxes and Fees.

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

14 **SECTION 6.18.**

15 Collection of Delinquent Taxes and Fees.

16 The city council, by ordinance, may provide generally for the collection of delinquent taxes,
17 fees, or other revenue due the city under Sections 6.10 through 6.17 by whatever reasonable
18 means as are not precluded by law. This shall include providing for the dates when the taxes
19 or fees are due; late penalties or interest; issuance and execution of fi.fas.; creation and
20 priority of liens; making delinquent taxes and fees personal debts of the persons required to
21 pay the taxes or fees imposed; revoking city permits for failure to pay any city taxes or fees;
22 and providing for the assignment or transfer of tax executions.

23 **SECTION 6.19.**

24 General Obligation Bonds.

25 The city council shall have the power to issue bonds for the purpose of raising revenue to
26 carry out any project, program, or venture authorized under this charter or the laws of the
27 state. Such bonding authority shall be exercised in accordance with the laws governing bond
28 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 O.C.G.A., or other such 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 unless otherwise provided by state or federal law.

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

1 a capital budget, including requirements as to the scope, content, and form of such budgets
2 and plans.

3 **SECTION 6.25.**

4 Submission of Budget to City Council.

5 On or before a date fixed by the city council but not later than 60 days prior to the beginning
6 of each fiscal year, the mayor shall submit to the city council a proposed operating budget
7 for the ensuing fiscal year. The budget shall be accompanied by a message from the mayor
8 containing a statement of the general fiscal policies of the city, the important features of the
9 budget, explanations of major changes recommended for the next fiscal year, a general
10 summary of the budget, and such other pertinent comments and information. The operating
11 budget and the capital budget hereinafter provided for, the budget message, and all
12 supporting documents shall be filed in the office of the city clerk and shall be open to public
13 inspection.

14 **SECTION 6.26.**

15 Action by City Council on Budget.

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

21 (b) The city council by ordinance shall adopt the final operating budget for the ensuing fiscal
22 year not later than the 30th day of June of each year. If the city council fails to adopt the
23 budget by this date, the amounts appropriated for operation for the current fiscal year shall
24 be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items
25 prorated accordingly until such time as the city council adopts a budget for the ensuing fiscal
26 year. Adoption of the budget shall take the form of an appropriations ordinance setting out
27 the estimated revenues in detail by sources and making appropriations according to fund and
28 by organizational unit, purpose, or activity as set out in the budget preparation ordinance
29 adopted pursuant to Section 6.24.

30 (c) The amount set out in the adopted operating budget for each organizational unit shall
31 constitute the annual appropriation for such, and no expenditure shall be made or
32 encumbrance created in excess of the otherwise unencumbered balance of the appropriations
33 or allotment thereof, to which it is chargeable.

SECTION 6.27.

Tax Levies.

The city council shall levy by ordinance such taxes as are necessary. The taxes and tax rates set by such ordinance shall be such that reasonable estimates of revenues from such levy shall at least be sufficient, together with other anticipated revenues, fund balances, and applicable reserves, to equal the total amount appropriated for each of the several funds set forth in the annual operating budget for defraying the expenses of the general government of this city.

SECTION 6.28.

Changes in Appropriations.

The city council by ordinance may make changes in the appropriations contained in the current operating budget, at any regular meeting, special, or emergency meeting called for such purpose, but any additional appropriations may be made only from an existing unexpended surplus.

SECTION 6.29.

Capital Budget.

(a) On or before the date fixed by the city council but no later than 60 days prior to the beginning of each fiscal year, the mayor shall submit to the city council a proposed capital improvements plan with a recommended capital budget containing the means of financing the improvements proposed for the ensuing fiscal year. The city council shall have power to accept, with or without amendments, or reject the proposed plan and proposed budget. The city council shall not authorize an expenditure for the construction of any building, structure, work or improvement, unless the appropriations for such project are included in the capital budget, except to meet a public emergency as provided in Section 2.24.

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

SECTION 6.30.

Independent Audit.

1
2
3 The city council shall provide for and cause to be made an annual report of agreed upon
4 procedures for each fiscal year, or such other audit or report as may be required by law. The
5 annual report of agreed upon procedures shall include at a minimum: proof and reconciliation
6 of cash, confirmation of cash balances, a listing of bank balances by bank, a statement of
7 cash receipts and cash disbursements, a review of compliance with state law, and a report of
8 agreed upon procedures. The agreed upon procedures report shall be in a format prescribed
9 by the state auditor and shall constitute an annual audit report for purposes of and within the
10 meaning of Code Section 36-81-7 of the O.C.G.A. Copies of annual financial reports shall
11 be available at printing costs to the public.

SECTION 6.31.

Contracting Procedures.

12
13
14 No contract with the city shall be binding on the city unless it is in writing and it is made or
15 authorized by the city council and such approval is entered in the city council journal of
16 proceedings pursuant to Section 2.21.

SECTION 6.32.

Centralized Purchasing.

17
18
19 The city council shall by ordinance prescribe procedures for a system of centralized
20 purchasing for the city.

SECTION 6.33.

Sale and Lease of City Property.

21
22
23 (a) The city council may sell and convey, or lease any real or personal property owned or
24 held by the city for governmental or other purposes as now or hereafter provided by law.
25 (b) The city council may quitclaim any rights it may have in property not needed for public
26 purposes upon report by the mayor and adoption of a resolution, both finding that the
27 property is not needed for public or other purposes and that the interest of the city has no
28 readily ascertainable monetary value.
29 (c) Whenever in opening, extending, or widening any street, avenue, alley, or public place
30 of the city, a small parcel or tract of land is cut-off or separated by such work from a larger

1 tract or boundary of land owned by the city, the city council may authorize the mayor to sell
 2 and convey said cut-off or separated parcel or tract of land to an abutting or adjoining
 3 property owner or owners where such sale and conveyance facilitates the enjoyment of the
 4 highest and best use of the abutting owner's property. Included in the sales contract shall be
 5 a provision for the rights-of-way of said street, avenue, alley, or public place. Each abutting
 6 property owner shall be notified of the availability of the property and given the opportunity
 7 to purchase said property under such terms and conditions as set out by ordinance. All deeds
 8 and conveyances heretofore and hereafter so executed and delivered shall convey all title and
 9 interest the city has in such property, notwithstanding the fact that no public sale after
 10 advertisement was or is hereafter made.

11 **ARTICLE VII**

12 **GENERAL PROVISIONS**

13 **SECTION 7.10.**

14 **Bonds for Officials.**

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

18 **SECTION 7.11.**

19 **Existing Ordinances, Resolutions, Rules, and Regulations.**

20 All ordinances, resolutions, rules, and regulations now in force in the city not inconsistent
 21 with this charter are hereby declared valid and of full effect and force until amended or
 22 repealed by the city council.

23 **SECTION 7.12.**

24 **Existing Personnel and Officers.**

25 Except as specifically provided otherwise by this charter, all personnel and officers of the
 26 city and their rights, privileges, and powers shall continue beyond the time this charter takes
 27 effect for a period of 60 days before or during which the existing city council shall pass a
 28 transition ordinance detailing the changes in personnel and appointive officers required or
 29 desired and arranging such titles, rights, privileges, and powers as may be required or desired
 30 to allow a reasonable transition.

SECTION 7.13.

Pending Matters.

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

SECTION 7.14.

Construction.

9 (a) Section captions in this charter are informative only and are not to be considered as a part
10 thereof.

11 (b) The word "shall" is mandatory and the word "may" is permissive.

12 (c) The singular shall include the plural, the masculine shall include the feminine, and vice
13 versa.

SECTION 7.15.

Severability.

16 If any article, section, subsection, paragraph, sentence, or part thereof of this charter shall be
17 held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect
18 or impair other parts of this charter unless it clearly appears that such other parts are wholly
19 and necessarily dependent upon the part held to be invalid or unconstitutional, it being the
20 legislative intent in enacting this charter that each article, section, subsection, paragraph,
21 sentence, or part thereof be enacted separately and independent of each other.

SECTION 7.16.

Specific Repealer.

24 An Act incorporating the City of Edgehill in the County of Glascock, approved March 6,
25 1939 (Ga. L. 1939, p. 1049), is hereby repealed in its entirety and any amendatory acts
26 thereto are likewise repealed in their entirety.

1 **SECTION 7.17.**
2 General Repealer.

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