

House Bill 164

By: Representative Butler of the 18<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To provide a new charter for the City of Bremen; to provide for incorporation, boundaries,  
2 and powers of the city within the counties of Haralson and Carroll; to provide for a governing  
3 authority of such city and the powers, duties, authority, election, terms, method of filling  
4 vacancies, compensation, qualifications, prohibitions, and removal from office relative to  
5 members of such governing authority; to provide for inquiries and investigations; to provide  
6 for organization and procedures; to provide for ordinances and codes; to provide for the  
7 office 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 a city attorney, a city clerk, and other personnel; to provide for rules and  
10 regulations; to provide for a municipal court and the judge or judges thereof; to provide for  
11 practices and procedures; to provide for taxation and fees; to provide for an independent city  
12 school system; to provide for franchises, service charges, and assessments; to provide for  
13 bonded and other indebtedness; to provide for accounting and budgeting; to provide for  
14 purchases; to provide for the sale of property; to provide for bonds for officials; to provide  
15 for eminent domain; to provide for penalties; to provide for definitions and construction; to  
16 provide for other matters relative to the foregoing; to repeal a specific Act; to provide for an  
17 effective date; to repeal conflicting laws; and for other purposes.

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

19 **ARTICLE I**  
20 **INCORPORATION AND POWERS**  
21 **SECTION 1.01.**  
22 **Name.**

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

26

**SECTION 1.02.**

27

## Corporate Boundaries.

28 (a) The boundaries of this city shall be those existing on the effective date of the adoption  
 29 of this charter with such alterations as may be made from time to time in the manner  
 30 provided by law. The boundaries of this city at all times shall be shown on a map, a written  
 31 description or any combination thereof, to be retained permanently in the office of the Clerk  
 32 of the City of Bremen and to be designated, as the case may be: "Official Map of the  
 33 Corporate Limits of the City of Bremen, Georgia." Photographic, typed, or other copies of  
 34 such map or description certified by the City Clerk shall be admitted as evidence in all courts  
 35 and shall have the same force and effect as with the original map or description.

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

39

**SECTION 1.03.**

40

## Powers and Construction.

41 (a) This city shall have all powers possible for a city to have under the present or future  
 42 constitution and laws of the State of Georgia as fully and completely as though they were  
 43 specifically enumerated in this charter. This city shall have all the powers of  
 44 self-government not otherwise prohibited by this charter or by general law.

45 (b) The powers of this city shall be construed liberally in favor of the city. The specific  
 46 mention or failure to mention particular powers shall not be construed as limiting in any way  
 47 the powers of this city.

48

**SECTION 1.04.**

49

## Examples of Powers.

50 (a) Animal Regulations. To regulate and license or to prohibit the keeping or running  
 51 at-large of animals and fowl, and to provide for the impoundment of same if in violation of  
 52 any ordinance or lawful order; to provide for the disposition by sale, gift or humane  
 53 destruction of animals and fowl when not redeemed as provided by ordinance; and to provide  
 54 punishment for violation of ordinances enacted hereunder;

55 (b) Appropriations and Expenditures. To make appropriations for the support of the  
 56 government of the city; to authorize the expenditure of money for any purposes authorized

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

59 (c) Building Regulation. To regulate and to license the erection and construction of  
60 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas, and  
61 heating and air conditioning codes; and to regulate all housing, and building trades;

62 (d) Business Regulation and Taxation. To levy and to provide for the collection of  
63 regulatory fees and taxes on privileges, occupations, trades and professions as authorized by  
64 Title 48 of the Official Code of Georgia Annotated, or other such applicable laws as are or  
65 may hereafter be enacted; to permit and regulate the same; to provide for the manner and  
66 method of payment of such regulatory fees and taxes; and to revoke such permits after due  
67 process for failure to pay any city taxes or fees;

68 (e) Condemnation. To condemn property, inside or outside the corporate limits of the city,  
69 for present or future use and for any corporate purpose deemed necessary by the governing  
70 authority, utilizing procedures enumerated in Title 22 of the Official Code of Georgia  
71 Annotated, or such other applicable laws as are or may hereafter be enacted;

72 (f) Contracts. To enter into contracts and agreements with other governmental entities and  
73 with private persons, firms and corporations;

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

78 (h) Environmental Protection. To protect and preserve the natural resources, environment  
79 and vital areas of the state through the preservation and improvement of air quality, the  
80 restoration and maintenance of water resources, the control of erosion and sedimentation, the  
81 management of solid and hazardous waste, and other necessary actions for the protection of  
82 the environment;

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

87 (j) Garbage Fees. To levy, fix, assess, and collect a garbage, refuse and trash collection and  
88 disposal, and other sanitary service charge, tax, or fee for such services as may be necessary  
89 in the operation of the city from all individuals, firms, and corporations residing in or doing  
90 business therein benefiting from such services; to enforce the payment of such charges, taxes  
91 or fees; and to provide for the manner and method of collecting such service charges;

- 92 (k) General Health, Safety and Welfare. To define, regulate and prohibit any act, practice,  
93 conduct or use of property which is detrimental to health, sanitation, cleanliness, welfare, and  
94 safety of the inhabitants of the city, and to provide for the enforcement of such standards;
- 95 (l) Gifts. To accept or refuse gifts, donations, bequests or grants from any source for any  
96 purpose related to powers and duties of the city and the general welfare of its citizens, on  
97 such terms and conditions as the donor or grantor may impose;
- 98 (m) Health and Sanitation. To prescribe standards of health and sanitation and to provide  
99 for the enforcement of such standards;
- 100 (n) Jail Sentences. To provide that persons given jail sentences in the city's court may work  
101 out such sentences in any public works or on the streets, roads, drains and other public  
102 property in the city, to provide for commitment of such persons to any jail, or to provide for  
103 commitment of such persons to any county work camp or county jail by agreement with the  
104 appropriate county officials;
- 105 (o) Motor Vehicles. To regulate the operation of motor vehicles and exercise control over  
106 all traffic, including parking upon or across the streets, roads, alleys and walkways of the  
107 city;
- 108 (p) Municipal Agencies and Delegation of Power. To create, alter or abolish departments,  
109 boards, offices, commissions and agencies of the city, and to confer upon such agencies the  
110 necessary and appropriate authority for carrying out all the powers conferred upon or  
111 delegated to the same;
- 112 (q) Municipal Debts. To appropriate and borrow money for the payment of debts of the city  
113 and to issue bonds for the purpose of raising revenue to carry out any project, program or  
114 venture authorized by this charter or the laws of the State of Georgia;
- 115 (r) Municipal Property Ownership. To acquire, dispose of, lease, and hold in trust or  
116 otherwise, any real, personal, or mixed property, in fee simple or lesser interest, inside or  
117 outside the property limits of the city;
- 118 (s) Municipal Property Protection. To provide for the preservation and protection of  
119 property and equipment of the city, and the administration and use of same by the public; and  
120 to prescribe penalties and punishment for violations thereof;
- 121 (t) Municipal Utilities. To acquire, lease, construct, operate, maintain, sell and dispose of  
122 public utilities, including but not limited to a system of waterworks, sewers and drains,  
123 sewage disposal, gas works, electric light plants, cable television and other  
124 telecommunications, transportation facilities, public airports, and any other public utility; and  
125 to fix the taxes, charges, rates, fares, fees, assessments, regulations and penalties, and to  
126 provide for the withdrawal of service for refusal or failure to pay the same;
- 127 (u) Nuisance. To define a nuisance and provide for its abatement whether on public or  
128 private property;

- 129 (v) Penalties. To provide penalties for violation of any ordinances adopted pursuant to the  
130 authority of this charter and the laws of the State of Georgia;
- 131 (w) Planning and Zoning. To provide comprehensive city planning for development by  
132 zoning; and to provide subdivision regulation and the like as the city council deems  
133 necessary and reasonable to insure a safe, healthy, and aesthetically pleasing community;
- 134 (x) Police and Fire Protection. To exercise the power of arrest through duly appointed  
135 policemen, and to establish, operate, or contract for a police and a fire fighting agency;
- 136 (y) Public Hazards: Removal. To provide for the destruction and removal of any building  
137 or other structure which is or may become dangerous or detrimental to the public.
- 138 (z) Public Improvements. To provide for the acquisition, construction, building, operation  
139 and maintenance of public ways, parks and playgrounds, recreational facilities, cemeteries,  
140 markets and market houses, public buildings, libraries, public housing, airports, hospitals,  
141 terminals, docks, parking facilities, or charitable, cultural, educational, recreational,  
142 conservation, sport, curative, corrective, detentional, penal and medical institutions, agencies  
143 and facilities; and to provide any other public improvements, inside or outside the corporate  
144 limits of the city; to regulate the use of public improvements; and for such purposes, property  
145 may be acquired by condemnation under Title 22 of the Official Code of Georgia Annotated,  
146 or such other applicable laws as are or may hereafter be enacted;
- 147 (aa) Public Peace. To provide for the prevention and punishment of drunkenness, riots, and  
148 public disturbances;
- 149 (bb) Public Transportation. To organize and operate such public transportation systems as  
150 are deemed beneficial and economically feasible;
- 151 (cc) Public Utilities and Services. To grant franchises or make contracts for, or impose taxes  
152 on public utilities and public service companies; and to prescribe the rates, fares, regulations  
153 and standards and conditions of service applicable to the service to be provided by the  
154 franchise grantee or contractor, insofar as not in conflict with valid regulations of the Public  
155 Service Commission;
- 156 (dd) Regulation of Roadside Areas. To prohibit or regulate and control the erection,  
157 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings and any and  
158 all other structures or obstructions upon or adjacent to the rights-of-way of streets and roads,  
159 within or abutting the corporate limits of the city; and to prescribe penalties and punishment  
160 for violation of such ordinances;
- 161 (ee) Retirement. To provide and maintain a retirement plan for officers and employees of  
162 the city;
- 163 (ff) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade of,  
164 abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise improve,  
165 maintain, repair, clean, prevent erosion of, and light the roads, alleys, and walkways within

166 the corporate limits of the city; and to grant franchises and rights-of-way throughout the  
167 streets and roads, and over the bridges and viaducts for the use of public utilities; and to  
168 require real estate owners to repair and maintain in a safe condition the sidewalks adjoining  
169 their lots or lands, and to impose penalties for failure to do so;

170 (gg) Sewer Fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring,  
171 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant  
172 and sewerage system, and to levy on those to whom sewers and sewerage systems are made  
173 available a sewer service fee, charge or sewer tax for the availability or use of the sewers; to  
174 provide for the manner and method of collecting such service charges and for enforcing  
175 payment of the same; and to charge, impose and collect a sewer connection fee or fees to  
176 those connected with the system;

177 (hh) Solid Waste Disposal. To provide for the collection and disposal of garbage, rubbish  
178 and refuse, and to regulate the collection and disposal of garbage, rubbish and refuse by  
179 others; and to provide for the separate collection of glass, tin, aluminum, cardboard, paper,  
180 and other recyclable materials, and to provide for the sale of such items;

181 (ii) Special Areas of Public Regulation. To regulate or prohibit junk dealers, pawn shops,  
182 the manufacture, sale, or transportation of intoxicating liquors, and the use and sale of  
183 firearms; to regulate the transportation, storage and use of combustible, explosive and  
184 inflammable materials, the use of lighting and heating equipment, and any other business or  
185 situation which may be dangerous to persons or property; to regulate and control the conduct  
186 of peddlers and itinerant traders, theatrical performances, exhibitions, and shows of any kind,  
187 by taxation or otherwise; and to license, tax, regulate or prohibit professional fortunetelling,  
188 palmistry, adult bookstores, adult entertainment establishments, and massage parlors;

189 (jj) Special Assessments. To levy and provide for the collection of special assessments to  
190 cover the costs for any public improvements;

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

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

195 (mm) Taxicabs and Other Public Transportation. To regulate and license vehicles operated  
196 for hire in the city; to limit the number of such vehicles; to require the operators thereof to  
197 be licensed; to require public liability insurance on such vehicles in the amounts to be  
198 prescribed by ordinance; and to regulate the parking of such vehicles;

199 (nn) Urban Redevelopment. To organize and operate an urban redevelopment program;

200 (oo) Other Powers. To exercise and enjoy all other powers, functions, rights, privileges and  
201 immunities necessary or desirable to promote or protect the safety, health, peace, security,  
202 good order, comfort, convenience, or general welfare of the city and its inhabitants; and to

203 exercise all implied powers necessary or desirable to carry into execution all powers granted  
 204 in this charter as fully and completely as if such powers were fully stated herein; and to  
 205 exercise all powers now or in the future authorized to be exercised by other municipal  
 206 governments under other laws of the State of Georgia; and no listing of particular powers in  
 207 this charter shall be held to be exclusive of others, nor restrictive of general words and  
 208 phrases granting powers, but shall be held to be in addition to such powers unless expressly  
 209 prohibited to municipalities under the Constitution or applicable laws of the State of Georgia.

210 **SECTION 1.05.**

211 Exercise of Powers.

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

216 **ARTICLE II**

217 **GOVERNMENT STRUCTURE**

218 **GENERALLY**

219 **LEGISLATIVE BRANCH**

220 **A. Creation.**

221 **SECTION 2.01.**

222 **City Council Creation; Number; Election.**

223 The legislative authority of the government of this city, except as otherwise specifically  
 224 provided in this charter, shall be vested in a city council to be composed of a mayor and four  
 225 (4) council-members. The council members shall be elected by city wide - at large elections.  
 226 Each duly elected council member will occupy a seat on the council to be designated as Seat  
 227 One, Seat Two, Seat Three and Seat Four, respectively. The city council established shall  
 228 in all respects be a successor to and continuation of the governing authority under prior law.  
 229 The mayor and council-members shall be elected in the manner provided by general law and  
 230 this charter.

231 B. Terms and Qualifications for Office.

232 **SECTION 2.02.**

233 City Council Terms and Qualifications for Office.

234 The members of the city council shall serve for terms of 4 years and until their respective  
235 successors are elected and qualified. No person shall be eligible to serve as a councilmember  
236 unless that person shall be a citizen of the United States of America; have attained the age  
237 of 21 years; and have established his or her domicile within the city, so as to be a legal  
238 resident of the city, for the 12 consecutive months prior to the first day of the period of time  
239 set for qualification as a candidate for the office of councilmember. A duly elected  
240 councilmember shall continue to reside within the city during that individual's period of  
241 service and shall continue to be registered and qualified to vote in municipal elections of this  
242 city.

243 C. Vacancies in Office.

244 **SECTION 2.03.**

245 Vacancy; Filling of Vacancies.

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

250 (b) Filling of Vacancies - A vacancy in the office of mayor or councilmember shall be filled  
251 for the remainder of the unexpired term, if any, by appointment of the city council if less than  
252 12 months remains in the unexpired term, otherwise by an election, as provided for in  
253 Section 5.04 of this charter and in accordance with Titles 21 and 45 of the Official Code of  
254 Georgia Annotated, or other such laws as are or may hereafter be enacted.

255 D. Compensation and Expenses.

256 **SECTION 2.04.**

257 Compensation and Expenses.

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

260 E. Prohibitions.

261 **SECTION 2.05.**

262 Conflicts of Interest; Holding Other Offices.

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

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

267 (1) Engage in any business or transaction, or have a financial or other personal interest,  
268 direct or indirect, which is incompatible with the proper discharge of that person's official  
269 duties or which would tend to impair the independence of the official's judgment or action  
270 in the performance of those official duties;

271 (2) Engage in or accept private employment, or render services for private interests when  
272 such employment or service is incompatible with the proper discharge of that person's  
273 official duties or would tend to impair the independence of the official's judgment or  
274 action in the performance of those official duties;

275 (3) Disclose confidential information, including information obtained at meetings which  
276 are closed pursuant to Title 50, Chapter 14 of the Official Code of Georgia Annotated,  
277 concerning the property, government, or affairs of the governmental body by which the  
278 official is engaged without proper legal authorization; or use such information to advance  
279 the financial or other private interest of the official or others;

280 (4) Accept any valuable gift, as defined by state law, whether in the form of service,  
281 loan, thing, or promise, from any person, firm or corporation which to the official's  
282 knowledge is interested, directly or indirectly, in any manner whatsoever, in business  
283 dealings with the governmental body by which the official is engaged; provided,  
284 however, that an elected official who is a candidate for public office may accept  
285 campaign contributions and services in connection with any such campaign;

286 (5) Represent other private interests in any action or proceeding against this city or any  
287 portion of its government; or

288 (6) Vote on any contract with any business or entity in which the official has a  
289 significant financial interest.

290 (c) Disclosure - Any elected official, appointed officer, or employee who shall have any  
291 financial interest, directly or indirectly, in any contract or matter pending before or within  
292 any department of the city shall disclose such interest to the city council. The mayor or any  
293 councilmember who has a financial interest in any matter pending before the city council  
294 shall disclose such interest and such disclosure shall be entered on the records of the city  
295 council, and that official shall disqualify himself or herself from participating in any decision

296 or vote relating thereto. Any elected official, appointed officer, or employee of any agency  
297 or political entity to which this charter applies who shall have any financial interest, directly  
298 or indirectly, in any contract or matter pending before or within such entity shall disclose  
299 such interest to the governing body of such agency or entity.

300 (d) Use of Public Property - No elected official, appointed officer, or employee of the city  
301 or any agency or entity to which this charter applies shall use property owned by such  
302 governmental entity for personal benefit, convenience, or profit except in accordance with  
303 policies promulgated by the city council or the governing body of such agency or entity.

304 (e) Contracts Voidable and Rescindable - Any violation of this section which occurs with  
305 the knowledge, express or implied, of a party to a contract or sale shall render said contract  
306 or sale voidable at the option of the city council.

307 (f) Ineligibility of Elected Official - Except where authorized by law, neither the mayor nor  
308 any councilmember shall hold any other elective or compensated appointive office in the city  
309 or otherwise be employed by said government or any agency thereof during the term for  
310 which that official was elected.

311 (g) Political Activities of Councilmember and Certain Officers and Employees -

312 (1) No councilmember or appointive officer of the city shall continue in such position  
313 or employment upon qualifying as a candidate for nomination or election to any public  
314 office. This section shall not apply to a councilmember that qualifies as an incumbent  
315 seeking reelection to his or her seat on the council.

316 (2) No employee of the city shall continue in such employment upon election to any  
317 public office in this city or any other public office which is inconsistent, incompatible or  
318 in conflict with the duties of the city employee. Such determination shall be made by the  
319 mayor and council either immediately upon election or at any time such conflict may  
320 arise.

321 (h) Penalties for Violation -

322 (1) Any city officer or employee shown to have knowingly concealed such financial  
323 interest or knowingly violated any of the requirements of this section shall be guilty of  
324 malfeasance in office or position and shall be deemed to have forfeited that person's  
325 office or position.

326 (2) Any officer or employee of the city who shall forfeit an office or position as  
327 described in paragraph (1) above shall be ineligible for appointment or election to or  
328 employment in a position in the city government for a period of three years thereafter.

329 F. Inquiries and Investigations.

330 **SECTION 2.06.**

331 Inquiries and Investigations.

332 Following the adoption of an authorizing resolution, the city council may make inquiries and  
333 investigations into the affairs of the city and the conduct of any department, office or agency  
334 thereof, and for this purpose may subpoena witnesses, administer oaths, take testimony, and  
335 require the production of evidence. Any person who fails or refuses to obey a lawful order  
336 issued in the exercise of these powers by the city council shall be punished as provided by  
337 ordinance. This provision is intended to allow the council to conduct comprehensive  
338 investigations of the city's affairs as well as the conduct of any of its departments, offices or  
339 agencies so as to maintain proper legislative oversight of city government. The inquiries and  
340 investigations authorized may only be conducted by the council, not individual council  
341 members, and only for the purposes of an official investigation.

342 G. General Power and Authority.

343 **SECTION 2.07.**

344 General Power and Authority of the City Council.

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

347 H. Eminent Domain.

348 **SECTION 2.08.**

349 Eminent Domain.

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

## 358 ORGANIZATION AND PROCEDURES

## 359 I. Meetings.

## 360 SECTION 2.09.

## 361 Organization.

362 (a) The city council shall hold an organizational meeting at the first regular meeting in the  
363 first full month following the passage and adoption of this charter; provided however, that  
364 the mayor and council members in office at the time of adoption of this charter shall continue  
365 in office until that date. The meeting shall be called to order by the city clerk and the oath  
366 of office shall be administered to any and all newly elected members as follows:

367 "I do solemnly swear (or affirm) that I will faithfully perform the duties of  
368 (mayor)(councilmember) of this city and that I will support and defend the  
369 charter thereof as well as the constitution and laws of the State of Georgia and  
370 of the United States of America."

371 (b) By a majority vote, the city council shall elect a councilmember to serve as mayor pro  
372 tem. During the absence or physical or mental disability of the mayor for any cause, the  
373 mayor pro tem shall be clothed with all the rights and privileges of the mayor and shall  
374 perform the duties of the office of the mayor so long as such absence or disability shall  
375 continue. Any such absence or disability shall be declared by majority vote of the city  
376 council. The mayor pro tem shall sign all contracts and ordinances in which the mayor has  
377 a disqualifying financial interest as provided in Section 2.05.

## 378 SECTION 2.10.

## 379 Regular and Special Meetings.

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

382 (b) Special meetings of the city council may be held on call of the mayor or two (2)  
383 members of the city council. Notice of such special meetings shall be served on all other  
384 members personally, or by telephone personally, at least 24 hours in advance of the meeting.  
385 Such notice to councilmembers shall not be required if the mayor and all councilmembers  
386 are present when the special meeting is called. Such notice of any special meeting may be  
387 waived by a councilmember in writing before or after such a meeting, and attendance at the  
388 meeting shall also constitute a waiver of notice on any business transacted in such  
389 councilmember's presence. Only the business stated in the call may be transacted at the  
390 special meeting.

391 (c) All meetings of the city council shall be public to the extent required by law and notice  
 392 to the public of special meetings shall be made fully as is reasonably possible as provided by  
 393 section 50-14-1 of the Official Code of Georgia Annotated, or other such applicable laws as  
 394 are or may hereafter be enacted.

395 J. Procedures.

396 **SECTION 2.11.**

397 Rules of Procedure.

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

401 (b) All committees and committee chairs and officers of the city council shall be nominated  
 402 and appointed by the mayor with the approval of council and shall serve at the pleasure of  
 403 the city council. The mayor shall have the power to recommend and appoint, with the  
 404 approval of council, new members to any committee at any time.

405 **SECTION 2.12.**

406 Quorum: Voting.

407 Three councilmembers, or two councilmembers and the Mayor, shall constitute a quorum and  
 408 shall be authorized to transact business of the city council. Voting on the adoption of  
 409 ordinances shall be by voice vote and the vote shall be recorded in the journal, but any  
 410 member of the city council shall have the right to request a roll call vote and such vote shall  
 411 be recorded in the journal. Except as otherwise provided in this charter, the affirmative vote  
 412 of three (3) councilmembers (or two councilmembers and the Mayor only when the Mayor  
 413 has been counted as a member for purposes of a quorum) shall be required for the adoption  
 414 of any ordinance, resolution, or motion. An abstention shall be counted as an affirmative  
 415 vote.

416 K. Ordinances.

417 **SECTION 2.13.**

418 Ordinance Form; Procedures.

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

421 enacting clause shall be "It is hereby ordained by the governing authority of the City of  
422 Bremen" and every ordinance shall so begin.

423 (b) An ordinance may be introduced by any councilmember and be read at a regular or  
424 special meeting of the city council. Ordinances shall be considered and adopted or rejected  
425 by the city council in accordance with the rules which it shall establish; provided, however,  
426 an ordinance shall not be adopted the same day it is introduced, except for emergency  
427 ordinances provided in Section 2.15. Upon introduction of any ordinance, the clerk shall as  
428 soon as possible distribute a copy to the mayor and to each councilmember and shall file a  
429 reasonable number of copies in the office of the clerk and at such other public places as the  
430 city council may designate.

431 **SECTION 2.14.**

432 Action Requiring An Ordinance.

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

434 **SECTION 2.15.**

435 Emergencies, Emergency Ordinances, Procedures and Limitations.

436 (a) To meet a public emergency affecting life, health, property or public peace, the city  
437 council may convene on call of the mayor or two (2) councilmembers and promptly adopt  
438 an emergency ordinance, but such ordinance may not levy taxes; grant, renew or extend a  
439 franchise; regulate the rate charged by any public utility for its services; or authorize the  
440 borrowing of money except for loans to be repaid within 30 days. An emergency ordinance  
441 shall be introduced in the form prescribed for ordinances generally, except that it shall be  
442 plainly designated as an emergency ordinance and shall contain, after the enacting clause,  
443 a declaration stating that an emergency exists, and describing the emergency in clear and  
444 specific terms. An emergency ordinance may be adopted, with or without amendment, or  
445 rejected at the meeting at which it is introduced, but the affirmative vote of at least three  
446 councilmembers shall be required for adoption. It shall become effective upon adoption or  
447 at such later time as it may specify. Every emergency ordinance shall automatically stand  
448 repealed 30 days following the date upon which it was adopted, but this shall not prevent  
449 reenactment of the ordinance in the manner specified in this section if the emergency still  
450 exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance  
451 in the same manner specified in this section for adoption of emergency ordinances.

452 (b) Such meetings shall be open to the public to the extent required by law and notice to the  
453 public of emergency meetings shall be made as fully as is reasonably possible in accordance

454 with section 50-14-1, as amended, of the Official Code of Georgia Annotated, or such other  
 455 applicable laws as are or may hereafter be enacted.

456 **SECTION 2.16.**

457 Codes of Technical Regulations.

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

461 (1) the requirements of Section 2.17(b) for distribution and filing of copies of the  
 462 ordinance shall be construed to include copies of any code of technical regulations, as  
 463 well as the adopting ordinance; and

464 (2) a copy of each adopted code of technical regulations, as well as the adopting  
 465 ordinance, shall be authenticated and recorded by the clerk pursuant to Section 2.17.

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

468 **SECTION 2.17.**

469 Signing; Authenticating; Recording; Codification; Printing.

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

472 (b) The city council shall provide for the preparation of a general codification of all the  
 473 ordinances of the city having the force and effect of law. The general codification shall be  
 474 adopted by the city council by ordinance and shall be published promptly, together with all  
 475 amendments thereto and such codes of technical regulations and other rules and regulations  
 476 as the city council may specify. This compilation shall be known and cited officially as "The  
 477 Code of the City of Bremen, Georgia." Copies of the code shall be furnished to all officers,  
 478 departments and agencies of the city, and made available for purchase by the public at a  
 479 reasonable price as fixed by the city council.

480 (c) The city council shall cause each ordinance and each amendment to this charter to be  
 481 printed promptly following its adoption, and the printed ordinances and charter amendments  
 482 shall be made available for purchase by the public at reasonable prices to be fixed by the city  
 483 council. Following publication of the first code under this charter and at all times thereafter,  
 484 the ordinances and charter amendments shall be printed in substantially the same style as the  
 485 code currently in effect and shall be suitable in form for incorporation therein. The city  
 486 council shall make such further arrangements as deemed desirable with reproduction and

487 distribution of any current changes in or additions to codes of technical regulations and other  
488 rules and regulations included in the code.

489 L. Council-Manager Form of Government.

490 **SECTION 2.18.**

491 City Manager; Appointment; Qualifications; Compensation.

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

495 **SECTION 2.19.**

496 Removal of City Manager.

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

499 **SECTION 2.20.**

500 Acting City Manager.

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

507 **SECTION 2.21.**

508 Powers and Duties of the City Manager.

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

512 (a) appoint and, when the manager deems it necessary for the good of the city, suspend  
513 or remove all city employees and administrative officers the manager appoints, except  
514 as otherwise provided by law or personnel ordinances adopted pursuant to this charter.

515 The manager may authorize any administrative officer who is subject to the manager's

- 516 direction and supervision to exercise these powers with respect to subordinates in that  
 517 officer's department, office or agency;
- 518 (b) direct and supervise the administration of all departments, offices and agencies of the  
 519 city, except as otherwise provided by this charter or by law;
- 520 (c) attend all city council meetings except for closed meetings held for the purposes of  
 521 deliberating on the appointment, discipline or removal of the city manager and have the  
 522 right to take part in discussion but not vote;
- 523 (d) see that all laws, provisions of this charter, and acts of the city council, subject to  
 524 enforcement by the manager or by officers subject to the manager's direction and  
 525 supervision, are faithfully executed;
- 526 (e) prepare and submit the annual operating budget and capital budget to the city council;
- 527 (f) submit to the city council and make available to the public a complete report on the  
 528 finances and administrative activities of the city as of the end of each fiscal year;
- 529 (g) make such other reports as the city council may require concerning the operations of  
 530 city departments, offices and agencies subject to the manager's direction and supervision;
- 531 (h) keep the city council fully advised as to the financial condition and future needs of  
 532 the city, and make such recommendations to the city council concerning the affairs of the  
 533 city as the manager deems desirable; and
- 534 (i) perform other such duties as are specified in this charter or as may be required by the  
 535 city council.

## 536 **SECTION 2.22.**

### 537 Council Interference with Administration.

538 Except for the purpose of inquiries and investigations under Section 2.06, the city council or  
 539 its members shall deal with city officers and employees who are subject to the direction and  
 540 supervision of the manager solely through the manager, and neither the city council nor its  
 541 members shall give orders to any such officer or employee, either publicly or privately.

## 542 **SECTION 2.23.**

### 543 Election of Mayor; Forfeiture; Compensation.

544 The mayor shall be elected and serve for a term of 4 years and until a successor is elected and  
 545 qualified. No person shall be eligible to serve as mayor unless that person shall be a citizen  
 546 of the United States of America; have attained the age of 21 years; and have established his  
 547 or her domicile within the city, so as to be a legal resident of the city, for the 12 consecutive  
 548 months prior to the first day of the period of time set for qualification as a candidate for the

549 office of mayor. A duly elected mayor shall continue to reside within the city during that  
 550 individual's period of service and shall continue to be registered and qualified to vote in  
 551 municipal elections of this city. The mayor shall forfeit the office on the same grounds and  
 552 under the same procedure as for councilmembers. The compensation of the mayor shall be  
 553 established in the same manner as for councilmembers.

554 **SECTION 2.24.**

555 Powers and Duties of Mayor.

556 The mayor shall:

- 557 (a) preside at all meetings of the city council;
- 558 (b) be the chief executive officer and head of the city for the purpose of service of  
 559 process and for ceremonial purposes, and be the official spokesperson for the city and the  
 560 chief advocate of policy;
- 561 (c) have power to administer oaths and to take affidavits;
- 562 (d) sign as a matter of course on behalf of the city all written and approved contracts,  
 563 ordinances and other instruments executed by the city which by law, this charter or city  
 564 ordinances are required to be approved by the city council and to be in writing;
- 565 (e) represent the city in intergovernmental relations;
- 566 (f) appoint members of citizen advisory boards and commissions with the advice and  
 567 consent of the council, and make recommendations to the city council concerning the  
 568 appointment of members of regulatory agencies, boards, or authorities whose members  
 569 are subject to appointment and approval by the city council;
- 570 (g) present an annual state of the city message;
- 571 (h) recommend to the city council such measures relative to the affairs of the city,  
 572 improvement of the government, and promotion of the welfare of its inhabitants as the  
 573 mayor may deem expedient;
- 574 (i) call special meetings of the city council as provided for in Section 2.10(b);
- 575 (j) approve or disapprove ordinances as provided in Section 2.25;
- 576 (k) provide for an annual audit of all accounts of the city;
- 577 (l) require any department or agency of the city to submit written reports whenever the  
 578 mayor deems it expedient;
- 579 (m) fulfill such other executive and administrative duties as the city council shall by  
 580 ordinance establish, or as may be required by law, this charter, or by ordinance.

581 **SECTION 2.25.**

582 Submission of Ordinances to the Mayor; Veto Power.

583 (a) Every ordinance adopted by the city council shall be presented promptly by the clerk to  
584 the mayor.585 (b) The mayor, within ten (10) calendar days of receipt of an ordinance, shall return it to the  
586 clerk with or without the mayor's approval, or with the mayor's disapproval. If the ordinance  
587 has been approved by the mayor, it shall become law upon its return to the clerk; if the  
588 ordinance is neither approved nor disapproved, it shall become law at twelve o'clock noon  
589 on the tenth calendar day after its adoption; if the ordinance is disapproved, the mayor shall  
590 submit to the city council through the clerk a written statement of reasons for the veto. The  
591 clerk shall record upon the ordinance the date of its delivery to and receipt from the mayor.592 (c) Ordinances vetoed by the mayor shall be presented by the clerk to the city council at its  
593 next meeting. If the city council then or at its next meeting adopts the ordinance by an  
594 affirmative vote of three (3) members, it shall become law.595 (d) The mayor may disapprove or reduce any item or items of appropriation in any  
596 ordinance. The approved part or parts of any ordinance making appropriations shall become  
597 law, and the part or parts disapproved shall not become law unless subsequently passed by  
598 the city council over the mayor's veto as provided herein. The reduced part or parts shall be  
599 presented to city council as though disapproved and shall not become law unless overridden  
600 by the council as provided in subsection (c) above.601 **SECTION 2.26.**

602 Limitation on Terms of Service.

603 There shall be no limitation on the terms of election for a mayor or a member of the council.

604 **ARTICLE III**605 **ADMINISTRATIVE AFFAIRS**606 **ORGANIZATIONAL AND GENERAL PROVISIONS**607 **SECTION 3.01.**

608 Administrative and Service Departments.

609 (a) Except as otherwise provided in this charter, the city council, by ordinance, shall  
610 prescribe the functions or duties, and establish, abolish, alter, consolidate or leave vacant all  
611 non-elective offices, positions of employment, departments, and agencies of the city, as  
612 necessary for the proper administration of the affairs and government of this city.

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

616 (c) All appointive officers and directors of departments shall receive such compensation as  
617 prescribed by ordinance, or as set out in the duly adopted budget for the fiscal year.

618 (d) There shall be a director of each department or agency who shall be its principal officer.  
619 Each director shall, subject to the direction and supervision of the city manager, be  
620 responsible for the administration and direction of the affairs and operations of that director's  
621 department or agency.

622 (e) All appointive officers and directors under the supervision of the city manager shall be  
623 nominated by the city manager with confirmation of appointment by the city council. All  
624 appointive officers and directors shall be employees at-will and subject to removal or  
625 suspension at any time by the city manager unless otherwise provided by law or ordinance.

### 626 **SECTION 3.02.**

#### 627 **Boards, Commissions and Authorities.**

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

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

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

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

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

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

647 (g) All board members serve at-will and may be removed at any time by a vote of three (3)  
648 members of the city council, or in the event of a tie vote, by the vote of two (2) members of  
649 the council and the affirmative vote of the Mayor, unless otherwise provided by law.

650 (h) Except as otherwise provided by this charter or by law, each board, commission or  
651 authority of the city shall elect one of its members as chair and one member as vice-chair,  
652 and may elect as its secretary one of its own members or may appoint as secretary an  
653 employee of the city.

654 (i) Each board, commission or authority of the city government may establish such bylaws,  
655 rules and regulations, not inconsistent with this charter, ordinances of the city, or law, as it  
656 deems appropriate and necessary for the fulfillment of its duties or the conduct of its affairs.  
657 Copies of such bylaws, rules and regulations shall be filed with the clerk of the city.

## 658 ADMINISTRATIVE OFFICERS

### 659 SECTION 3.03.

#### 660 City Attorney.

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

### 669 SECTION 3.04.

#### 670 City Clerk.

671 The city council shall appoint a city clerk who shall not be a councilmember. The city clerk  
672 shall be custodian of the official city seal and city records; maintain city council records  
673 required by this charter; and perform such other duties as may be required by the City  
674 Manager. The City Clerk shall report to the City Manager.

675 PERSONNEL ADMINISTRATION

676 SECTION 3.05.

677 Position Classification and Pay Plans.

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

684 SECTION 3.06.

685 Personnel Policies.

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

688 ARTICLE IV

689 JUDICIAL BRANCH

690 MUNICIPAL COURT

691 SECTION 4.01.

692 Creation; Name.

693 There shall be a court to be known as the Municipal Court of the City of Bremen.

694 SECTION 4.02.

695 Chief Judge; Associate Judge.

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

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

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

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

705 (e) Before assuming office, each judge shall take an oath, given by the mayor, that the judge  
706 will honestly and faithfully discharge the duties of the office to the best of that person's  
707 ability and without fear, favor or partiality. The oath shall be entered upon the minutes of  
708 the city council journal required in Section 2.11.

709 **SECTION 4.03.**

710 Convening.

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

712 **SECTION 4.04.**

713 Jurisdiction; Powers.

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

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

719 (c) The municipal court may fix punishment for offenses within its jurisdiction not  
720 exceeding a fine of One Thousand (\$1000.00) dollars or imprisonment for six (6) months or  
721 both such fine and imprisonment, or may fix punishment by fine, imprisonment or alternative  
722 sentencing as now, or hereafter provided by state law for municipal courts within the State  
723 of Georgia.

724 (d) The municipal court shall have authority to establish a schedule of fees to defray the cost  
725 of operation, and shall be entitled to reimbursement of the cost of meals, transportation, and  
726 caretaking of prisoners as provided by state law.

727 (e) The municipal court shall have authority to establish bail and recognizances to ensure  
728 the presence of those charged with violations before said court, and shall have discretionary  
729 authority to accept cash or personal or real property as surety for the appearance of persons  
730 charged with violations. Whenever any person shall give bail for that person's appearance  
731 and shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge  
732 presiding at such time, and an execution issued thereon by serving the defendant and the  
733 defendant's sureties with a rule nisi, at least two (2) days before a hearing on the rule nisi.  
734 In the event that cash or property is accepted in lieu of bond for security for the appearance  
735 of a defendant at trial, and if such defendant fails to appear at the time and place fixed for  
736 trial, the cash so deposited shall be on order of the judge declared forfeited to the city, or the

737 property so deposited shall have a lien against it for the value forfeited which lien shall be  
738 enforceable in the same manner and to the same extent as a lien for city property taxes.

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

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

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

749 **SECTION 4.05.**

750 Certiorari.

751 The right of certiorari from the decision and judgment of the municipal court shall exist in  
752 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under  
753 the sanction of a judge of the Superior Court of Haralson or Carroll County (depending upon  
754 the location of the offense which forms the substance upon which the decision and judgment  
755 appealed from was rendered) under the laws of the State of Georgia regulating the granting  
756 and issuance of writs of certiorari.

757 **SECTION 4.06.**

758 Rules for Court.

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



796 cast, a special runoff election shall be called and held in accordance with provisions for  
 797 notice, time, and elections procedures for runoff elections as established by the Georgia  
 798 Municipal Election Code.

799 C. Vacancies.

800 **SECTION 5.05.**

801 Special Elections; Vacancies.

802 In the event that the office of mayor or councilmember shall become vacant as provided in  
 803 Section 2.03 of this charter, the city council or those remaining shall order a special election  
 804 to fill the balance of the unexpired term of such official; provided, however, if such vacancy  
 805 occurs within 12 months of the expiration of the term of that office, the city council or those  
 806 remaining shall appoint a successor for the remainder of the term. In all other respects, the  
 807 special election shall be held and conducted in accordance with the Georgia Municipal  
 808 Election Code, Chapter 2 of Title 21 of the Official Code of Georgia Annotated, as now or  
 809 hereafter amended.

810 D. Other Provisions.

811 **SECTION 5.06.**

812 Other Provisions.

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

816 **REMOVAL OF OFFICERS**

817 **SECTION 5.07.**

818 Removal of Officers.

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

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

824 (1) Following a hearing at which an impartial panel shall render a decision. In the event  
 825 an elected officer is sought to be removed by the action of the city council, such officer  
 826 shall be entitled to a written notice specifying the ground or grounds for removal and to

827 a public hearing which shall be held not less than ten (10) days after the service of such  
 828 written notice. The city council shall provide by ordinance for the manner in which such  
 829 hearings shall be held. Any elected officer sought to be removed from office as herein  
 830 provided shall have the right of appeal from the decision of the city council to the  
 831 Superior Court of Haralson County. Such appeal shall be governed by the same rules as  
 832 govern appeals to the superior court from the probate court.

833 (2) By an order of the Superior Court of Haralson County following a hearing on a  
 834 complaint seeking such removal brought by a minimum of five (5) residents of the city.

835 **ARTICLE VI**

836 **FINANCE**

837 **GENERALLY**

838 **TAXATION AND VARIOUS FEES**

839 **A. Property Taxes.**

840 **SECTION 6.01.**

841 **Property Tax.**

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

848 **SECTION 6.02.**

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

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

854 B. Occupation Taxes and Regulatory Fees.

855 **SECTION 6.03.**

856 Occupation and Business Taxes.

857 The city council by ordinance shall have the power to levy such occupation or business taxes  
858 as are not denied by law. The city council may classify businesses, occupations or  
859 professions for the purpose of such taxation in any way which may be lawful and may  
860 compel the payment of such taxes as provided in Section 6.09.

861 **SECTION 6.04.**

862 Regulatory Fees; Permits.

863 The city council by ordinance shall have the power to require businesses or practitioners  
864 doing business within this city to obtain a permit for such activity from the city and pay a  
865 reasonable regulatory fee for such permit as provided by general law. Such fees shall reflect  
866 the total cost to the city of regulating the activity, and if unpaid, shall be collected as  
867 provided in Section 6.09.

868 **SECTION 6.05.**

869 Franchises.

870 (a) The city council shall have the power to grant franchises for the use of this city's streets  
871 and alleys for the purposes of railroads, street railways, telephone companies, electric  
872 companies, electric membership corporations, cable television and other telecommunications  
873 companies, gas companies, transportation companies and other similar organizations. The  
874 city council shall determine the duration, terms, whether the same shall be exclusive or  
875 nonexclusive, and the consideration for such franchises; provided, however, no franchise  
876 shall be granted for a period in excess of 35 years and no franchise shall be granted unless  
877 the city receives just and adequate compensation therefor. The city council shall provide for  
878 the registration of all franchises with the city clerk in a registration book kept by the clerk.  
879 The city council may provide by ordinance for the registration within a reasonable time of  
880 all franchises previously granted.

881 (b) If no franchise agreement is in effect, the city council has the authority, as permitted or  
882 regulated by state law, to impose a tax on gross receipts for the use of this city's streets and  
883 alleys for the purposes of railroads, street railways, telephone companies, electric companies,  
884 electric membership corporations, cable television and other telecommunications companies,  
885 gas companies, transportation companies and other similar organizations.

886 **SECTION 6.06.**

887 Service Charges.

888 The city council by ordinance shall have the power to assess and collect fees, charges, and  
 889 tolls for sewers, sanitary and health services, or any other services provided or made  
 890 available within and without the corporate limits of the city for the total cost to the city of  
 891 providing or making available such services. If unpaid, such charges shall be collected as  
 892 provided in Section 6.09.

893 **SECTION 6.07.**

894 Special Assessments.

895 The city council by ordinance shall have the power to assess and collect the cost of  
 896 constructing, reconstructing, widening, or improving any public way, street, sidewalk,  
 897 curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property  
 898 owners under such terms and conditions as are reasonable. If unpaid, such charges shall be  
 899 collected as provided in Section 6.09.

900 **SECTION 6.08.**

901 Construction; Other Taxes and Fees.

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

905 C. Collection of Delinquent Taxes.

906 **SECTION 6.09.**

907 Collection of Delinquent Taxes and Fees.

908 The city council, by ordinance, may provide generally for the collection of delinquent taxes,  
 909 fees, or other revenue due the city under Sections 6.01 through 6.08 by whatever reasonable  
 910 means as are not precluded by law. This shall include providing for the dates when the taxes  
 911 or fees are due; late penalties or interest; issuance and execution of fi.fa.'s; creation and  
 912 priority of liens; making delinquent taxes and fees personal debts of the persons required to  
 913 pay the taxes or fees imposed; refusal to issue city permits or revocation of city permits for  
 914 failure to pay any city taxes or fees; and providing for the assignment or transfer of tax  
 915 executions.

916 **BORROWING**  
917 **SECTION 6.10.**  
918 General Obligation Bonds.

919 The city council shall have the power to issue bonds for the purpose of raising revenue to  
920 carry out any project, program or venture authorized under this charter or the laws of the  
921 state. Such bonding authority shall be exercised in accordance with the laws governing bond  
922 issuance by municipalities in effect at the time said issue is undertaken.

923 **SECTION 6.11.**  
924 Revenue Bonds.

925 Revenue bonds may be issued by the city council as state law now or hereafter provides.  
926 Such bonds are to be paid out of any revenue produced by the project, program or venture  
927 for which they were issued.

928 **SECTION 6.12.**  
929 Short-Term Loans.

930 The city may obtain short-term loans and must repay such loans not later than December 31  
931 of each year, unless otherwise provided by law.

932 **SECTION 6.13.**  
933 Lease-Purchase Contracts.

934 The city may enter into multiyear lease, purchase or lease purchase contracts for the  
935 acquisition of goods, materials, real and personal property, services, and supplies provided  
936 the contract terminates without further obligation on the part of the municipality at the close  
937 of the calendar year in which it was executed and at the close of each succeeding calendar  
938 year for which it may be renewed. Contracts must be executed in accordance with the  
939 requirements of section 36-60-13 of the Official Code of Georgia Annotated, or other such  
940 applicable laws as are or may hereafter be enacted.

## 941 ACCOUNTING AND BUDGETING

942 **SECTION 6.14.**

943 Fiscal Year.

944 The city council shall set the fiscal year by ordinance. This fiscal year shall constitute the  
945 budget year and the year for financial accounting and reporting of each and every office,  
946 department, agency and activity of the city government.

947 **SECTION 6.15.**

948 Preparation of Budgets.

949 The city council shall provide an ordinance on the procedures and requirements for the  
950 preparation and execution of an annual operating budget, a capital improvement plan and a  
951 capital budget, including requirements as to the scope, content and form of such budgets and  
952 plans.

953 **SECTION 6.16.**

954 Submission of Operating Budget to City Council.

955 On or before a date fixed by the city council but not later than forty-five (45) days prior to  
956 the beginning of each fiscal year, the city manager shall submit to the city council a proposed  
957 operating budget for the ensuing fiscal year. The budget shall be accompanied by a message  
958 from the city manager containing a statement of the general fiscal policies of the city, the  
959 important features of the budget, explanations of major changes recommended for the next  
960 fiscal year, a general summary of the budget, and such other pertinent comments and  
961 information. The operating budget and the capital budget hereinafter provided for, the  
962 budget message, and all supporting documents shall be filed in the office of the city clerk and  
963 shall be open to public inspection.

964 **SECTION 6.17.**

965 Action by City Council on Budget.

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

971 (b) The city council by ordinance shall adopt the final operating budget for the ensuing fiscal  
972 year not later than the last day of the month prior to the beginning of a new fiscal year. If the  
973 city council fails to adopt the budget by this date, the amounts appropriated for operation for  
974 the current fiscal year shall be deemed adopted for the ensuing fiscal year on a  
975 month-to-month basis, with all items prorated accordingly until such time as the city council  
976 adopts a budget for the ensuing fiscal year. Adoption of the budget shall take the form of an  
977 appropriations ordinance setting out the estimated revenues in detail by sources and making  
978 appropriations according to fund and by organizational unit, purpose, or activity as set out  
979 in the budget preparation ordinance adopted pursuant to Section 6.15.

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

984 **SECTION 6.18.**

985 Tax Levies.

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

992 **SECTION 6.19.**

993 Changes in Appropriations.

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

998 **SECTION 6.20.**

## 999 Capital Budget.

1000 (a) On or before the date fixed by the city council but no later than forty-five (45) days prior  
 1001 to the beginning of each fiscal year, the city manager shall submit to the city council a  
 1002 proposed capital improvements plan with a recommended capital budget containing the  
 1003 means of financing the improvements proposed for the ensuing fiscal year. The city council  
 1004 shall have power to accept, with or without amendments, or reject the proposed plan and  
 1005 proposed budget. The city council shall not authorize an expenditure for the construction of  
 1006 any building, structure, work or improvement, unless the appropriations for such project are  
 1007 included in the capital budget, except to meet a public emergency as provided in Section  
 1008 2.15.

1009 (b) The city council shall adopt by resolution or ordinance the final capital budget for the  
 1010 ensuing fiscal year not later than the last day of the month prior to the beginning of a new  
 1011 fiscal year. No appropriation provided for in a prior capital budget shall lapse until the  
 1012 purpose for which the appropriation was made shall have been accomplished or abandoned;  
 1013 provided, however, the mayor or the city manager may submit amendments to the capital  
 1014 budget at any time during the fiscal year, accompanied by recommendations. Any such  
 1015 amendments to the capital budget shall become effective only upon adoption by ordinance.

1016 **SECTION 6.21.**

## 1017 Independent Audit.

1018 There shall be an annual independent audit of all city accounts, funds and financial  
 1019 transactions by a certified public accountant selected by the city council. The audit shall be  
 1020 conducted according to generally accepted auditing principles. Any audit of any funds by  
 1021 the state or federal governments may be accepted as satisfying the requirements of this  
 1022 charter. Copies of annual audit reports shall be available at printing costs to the public.

1023 **PROCUREMENT AND PROPERTY MANAGEMENT**1024 **SECTION 6.22.**

## 1025 Contracting Procedures.

1026 Except in an emergency situation, no contract with the city in excess of fifty thousand  
 1027 (\$50,000) Dollars, shall be binding on the city unless:

1028 (a) it is in writing;

- 1029 (b) it is drawn by or submitted and reviewed by the city attorney, and as a matter of  
1030 course, is signed by the city attorney to indicate such drafting or review; and  
1031 (c) it is made or authorized by the city council and such approval is entered in the city  
1032 council journal of proceedings pursuant to Section 2.11, provided however, in the event  
1033 of an emergency, the contract may be submitted to the City Council at the next regularly  
1034 scheduled meeting of Mayor and Council for review and ratification.

1035 **SECTION 6.23.**

1036 Centralized Purchasing.

1037 The city council shall by ordinance prescribe procedures for a system of centralized  
1038 purchasing and contracting for the city.

1039 **SECTION 6.24.**

1040 Sale and Lease of City Property.

- 1041 (a) The city council may sell and convey, or lease any real or personal property owned or  
1042 held by the city for governmental or other purposes as now or hereafter provided by law.  
1043 (b) The city council may quitclaim any rights it may have in property not needed for public  
1044 purposes upon report by the city manager and adoption of a resolution, both finding that the  
1045 property is not needed for public or other purposes and that the interest of the city has no  
1046 readily ascertainable monetary value.  
1047 (c) Whenever in opening, extending or widening any street, avenue, alley or public place of  
1048 the city, a small parcel or tract of land is cut-off or separated by such work from a larger tract  
1049 or boundary of land owned by the city, the city council may authorize the city manager to sell  
1050 and convey said cut-off or separated parcel or tract of land to an abutting or adjoining  
1051 property owner or owners where such sale and conveyance facilitates the enjoyment of the  
1052 highest and best use of the abutting owner's property. Included in the sales contract shall be  
1053 a provision for the rights-of-way of said street, avenue, alley or public place. Each abutting  
1054 property owner shall be notified of the availability of the property and given the opportunity  
1055 to purchase said property under such terms and conditions as set out by ordinance. All deeds  
1056 and conveyances heretofore and hereafter so executed and delivered shall convey all title and  
1057 interest the city has in such property, notwithstanding the fact that no public sale after  
1058 advertisement was or is hereafter made.

## ARTICLE VII

## INDEPENDENT CITY SCHOOL SYSTEM

**SECTION 7.01.**

Acknowledgment of Establishment of Bremen Public School System and Authority to Continue and Maintain the Bremen Public School System.

(a) Be it acknowledged that pursuant to the authority granted to the mayor and council of the city under the provisions of the Charter of 1907 Ga. Laws page 475, Section 6 with subsequent ratification by an affirmative vote in excess of two-thirds of the qualified voters of the city, the City of Bremen has heretofore established an independent public school system for the City of Bremen and organized a school board for the governance of said school system, known as the Bremen Public School System. (See, 1907 Ga. Laws, page 475, Section 6)

(b) Be it further acknowledged that Article VIII, Section V, paragraph I of the Constitution of this State authorizes and empowers the City to continue the Bremen Public School System as an independent school system whose borders are the same as the City of Bremen.

(c) Be it further acknowledged that the independent school system known as the Bremen Public School System has continued to operate and has not ceased in its functions and duties since its creation.

(d) Be it enacted by the authority aforesaid that the Board of Education of the City of Bremen is hereby authorized and empowered, and the sole authority is granted to the Board of Education to continue to, maintain and control the Bremen Public School System, as an independent public school system in the city, through local taxation and other means of support as permitted by Georgia law and in conformity with and as permitted by Article VIII, Section V, paragraph I of the Constitution of this State.

**SECTION 7.02.**

Qualification of Members; Terms; and Election of Board of Education.

The Board of Education of the City of Bremen shall consist of five members elected by city wide - at large elections. Each duly elected board member will occupy a seat on the Board designated as post #1, post #2, post #3, post #4 and post #5, respectively of the Board of Education of the City of Bremen. The members of the board of education shall serve for terms of 4 years and until their respective successors are elected and qualified. No person shall be eligible to serve as a member of the board unless that person shall be a citizen of the United States of America; have attained the age of 21 years; and have established his or her domicile within the city, so as to be a legal resident of the city, for the 12 consecutive months

1093 prior to the first day of the period of time set for qualification as a candidate for the office  
1094 of board member. A duly elected member shall continue to reside within the city during that  
1095 individual's period of service and shall continue to be registered and qualified to vote in  
1096 municipal elections of this city. Anyone seeking election to the board of education of said  
1097 city shall designate the particular post for which he seeks to be elected and the person  
1098 receiving a plurality of the votes cast for such post shall be elected. The members of the  
1099 board of education presently serving in office shall continue to serve out their respective  
1100 terms of office. Thereafter, successors to such education posts shall be elected at the  
1101 November election in the year that the terms of office expire for a four-year term beginning  
1102 on January 1 immediately following such election. The Board of Education and the election  
1103 of the members of the Board of Education of the Bremen Public School System shall be  
1104 governed by all applicable Local Acts and applicable state law.

1105 **SECTION 7.03.**

1106 Organization of Board of Education.

1107 Be it further enacted by the authority aforesaid, that the officers of said board of education  
1108 shall be as provided by law and the policies of the Board of Education.

1109 **SECTION 7.04.**

1110 Powers of Board of Education.

1111 Be it further enacted by the authority aforesaid, the Board of Education of the Bremen Public  
1112 School System is hereby vested with the authority and power provided for in the Georgia  
1113 Constitution and any applicable Local Acts and state law applicable to both county and  
1114 independent school districts.

1115 **SECTION 7.05.**

1116 Duties of Board of Education.

1117 Be it further enacted by the authority aforesaid, that said board of education shall faithfully  
1118 perform the duties prescribed under the Local Acts and under any applicable state law. In  
1119 addition thereto the Board of Education shall:

1120 (a) Annually make, through its treasurer, a report to the mayor and council of the city,  
 1121 with a full itemized statement of all the moneys received and expended by said board, and  
 1122 present vouchers and receipts therefor as may be requested by the mayor and council.  
 1123 This report shall contain an estimate of the amount of funds required for the proper  
 1124 conduct of said school for the ensuing year; and,  
 1125 (b) Form and participate in a joint committee between the board and the mayor and  
 1126 council of the city of such members as the board of education and the city council shall  
 1127 agree. The committee shall meet at least twice annually in order to review the financial  
 1128 status of both governmental agencies, to examine the amount of taxes levied by both  
 1129 agencies and the tax burden on business and property owners, to consider tax exceptions  
 1130 and to otherwise review the tax burden on its citizens, and to make appropriate  
 1131 recommendations to the board and council as to these matters.

1132 **SECTION 7.06.**

1133 Superintendent; Appointment; Qualifications; Compensation.

1134 The Board of Education shall employ a Superintendent for a definite term, as permitted by  
 1135 state law, and shall fix the Superintendent's compensation.

1136 **SECTION 7.07.**

1137 Superintendent; Method of Hiring and Removal.

1138 The board of education is empowered to enter into a contractual agreement with a candidate  
 1139 for Superintendent of the system upon terms and conditions mutually agreeable to the board  
 1140 and the candidate for Superintendent.

1141 **SECTION 7.08.**

1142 Powers and Duties of the Superintendent.

1143 The Superintendent shall be the chief administrative officer of the Bremen Public School  
 1144 System. The Superintendent shall be responsible to the board for the administration of all  
 1145 school system affairs placed in the Superintendent's charge by or under this charter. As the  
 1146 chief administrative officer of the school system, the superintendent shall faithfully perform  
 1147 the duties prescribed by the Board and by all applicable state laws and by contract with the  
 1148 Board of Education.

1149 **SECTION 7.09.**

1150 Board of Education Interference with Administration.

1151 Except for the purpose of inquiries and investigations of the actions of the Superintendent,  
 1152 the school board and its members shall deal with teachers, staff, and employees of the school  
 1153 system who are subject to the direction and supervision of the Superintendent solely through  
 1154 the superintendent, and neither the board of education nor its members shall give orders to  
 1155 any such officer or employee, either publicly or privately.

1156 **SECTION 7.10.**

1157 Title to and Control of School Property.

1158 Be it further enacted by the authority aforesaid, that said board of education is authorized and  
 1159 empowered to receive, hold, apply, sell or expend any donation, gift or bequest of property  
 1160 of any kind, real or personal, made to said board or to said city for school purposes, for the  
 1161 benefit of the Bremen Public School System. Title to all property utilized or occupied by the  
 1162 Bremen Public School System or the Board of Education of the City of Bremen for school  
 1163 purposes shall be vested in the Board of Education of the City of Bremen and the board of  
 1164 education shall have the power to hold, manage, control and dispose of such property.

1165 **SECTION 7.11.**

1166 Compensation of school board.

1167 Be it further enacted by the authority aforesaid, that no officer of said board shall have any  
 1168 compensation for his services except the treasurer, whose compensation shall be fixed by the  
 1169 board of education prior to his election and qualification. Subject to the approval of the  
 1170 board, board members may be entitled to receive appropriate per diem, insurance and  
 1171 expenses as provided by O.C.G.A. Section 20-2-55, as amended.

1172 **SECTION 7.12.**

1173 Accounting and payment of school taxes to board of education.

1174 All taxes collected by the City of Bremen for or on behalf of the Bremen City Schools shall  
 1175 be accounted for and paid over to the board of education of the Bremen City Schools on a  
 1176 monthly basis. An accounting of the taxes collected each month shall be made available to  
 1177 the Board upon request. The Board of Education and the City Council by intergovernmental

1178 agreement shall prorate the cost of collecting ad valorem taxes levied for the operation of city  
 1179 government and the operation of the Bremen Public School System.

1180 **SECTION 7.13.**

1181 School tuition.

1182 Be it further enacted by the authority aforesaid, that all students within the age range  
 1183 established by state law who are bona fide residents of the City of Bremen shall be entitled  
 1184 to the benefits of the school system, and no such child or children shall be required to pay  
 1185 any tuition for such course of study as is now provided by law in the public schools of the  
 1186 several counties of this State, but the board of education may, in their discretion, require  
 1187 children living outside of the limits of said city to pay tuition for educational benefits  
 1188 afforded to them for and during the school term at a fee to be established on an annual basis  
 1189 by the Board of Education. All such tuition shall become a part of the fund for the  
 1190 maintenance of said public school system, and must be used and accounted for as shall  
 1191 likewise any other fee.

1192 **SECTION 7.14.**

1193 Funds as Trust Funds.

1194 Be it further enacted by the authority aforesaid, that all assessments of taxes and all funds  
 1195 arising from or collected under this Act shall be by the City of Bremen kept separate and  
 1196 distinct from other assessments and collections of the City of Bremen, and are to be used  
 1197 solely for the purposes herein designated, and the City of Bremen shall keep a separate, full  
 1198 and distinct itemized account showing all moneys raised, when, how, and from whom and  
 1199 for what purposes and the disposition of the same; and to whom, when and for what purposes  
 1200 paid out.

1201 **ARTICLE VIII**

1202 **GENERAL PROVISIONS**

1203 **BONDS FOR OFFICIALS**

1204 **SECTION 8.01.**

1205 Bonds for Officials.

1206 The officers and employees of this city, both elective and appointive, shall execute such  
 1207 surety or fidelity bonds in such amounts and upon such terms and conditions as the city  
 1208 council shall from time to time require by ordinance or as may be provided by law.

**SECTION 8.02.**

1209

1210

Existing Ordinances, Resolutions, Rules and Regulations.

1211 All ordinances, resolutions, rules and regulations now in force in the city not inconsistent  
 1212 with this charter are hereby declared valid and of full effect and force until amended or  
 1213 repealed by the city council.

**SECTION 8.03.**

1214

1215

Existing Personnel and Officers.

1216 Except as specifically provided otherwise by this charter, all personnel and officers of the  
 1217 city and their rights, privileges and powers shall continue beyond the time this charter takes  
 1218 effect for a period of ninety (90) days before or during which the existing city council shall  
 1219 pass a transition ordinance detailing the changes in personnel and appointive officers  
 1220 required or desired and arranging such titles, rights, privileges and powers as may be required  
 1221 or desired to allow a reasonable transition.

**SECTION 8.04.**

1222

1223

Pending Matters.

1224 Except as specifically provided otherwise by this charter, all rights, claims, actions, orders,  
 1225 contracts and legal or administrative proceedings shall continue and any such ongoing work  
 1226 or cases shall be completed by such city agencies, personnel or offices as may be provided  
 1227 by the city council.

**SECTION 8.05.**

1228

1229

Construction.

- 1230 (a) Section captions in this charter are informative only and are not to be considered as a part  
 1231 thereof.
- 1232 (b) The word "shall" is mandatory and the word "may" is permissive.
- 1233 (c) The singular shall include the plural, the masculine shall include the feminine, and vice  
 1234 versa.

**SECTION 8.06.**

## Severability.

1237 If any article, section, subsection, paragraph, sentence, or part thereof of this charter shall be  
1238 held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect  
1239 or impair other parts of this charter unless it clearly appears that such other parts are wholly  
1240 and necessarily dependent upon the part held to be invalid or unconstitutional, it being the  
1241 legislative intent in enacting this charter that each article, section, subsection, paragraph,  
1242 sentence or part thereof be enacted separately and independent of each other.

**SECTION 8.07.**

## Repealer.

1245 An Act incorporating the City of Bremen in the Counties of Haralson and Carroll approved  
1246 the 30th day of December 1898 (Ga. L. 1898, Vol. 1, Page 136), is hereby repealed in its  
1247 entirety and all amendatory acts thereto are likewise repealed in their entirety. All other laws  
1248 and parts of laws in conflict with this charter are hereby repealed.

**SECTION 8.08.**

## Effective Date.

1251 This Act shall become effective upon its approval by the Governor or upon its becoming law  
1252 without such approval.

**SECTION 8.09.**

## General Repealer.

1255 All laws and parts of laws in conflict with this Act are repealed.