

House Bill 541

By: Representative Jackson of the 142<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To provide a new charter for the City of Tennille; to provide for incorporation, boundaries,  
2 and powers of the city; to provide for a governing authority of such city and the powers,  
3 duties, authority, election, terms, vacancies, compensation, expenses, qualifications,  
4 prohibitions, conflicts of interest, and suspension and removal from office relative to  
5 members of such governing authority; to provide for inquiries and investigations; to provide  
6 for oaths, organization, meetings, quorum, voting, rules, and procedures; to provide for  
7 ordinances and codes; to provide for a mayor and a mayor pro tempore and certain duties,  
8 powers, and other matters relative thereto; to provide for administrative affairs and  
9 responsibilities; to provide for boards, commissions, and authorities; to provide for a city  
10 attorney, a city clerk, and other personnel and matters relating thereto; to provide for rules  
11 and regulations; to provide for a municipal court and the judge or judges thereof and other  
12 matters relative to those judges; to provide for the court's jurisdiction, powers, practices, and  
13 procedures; to provide for the right of certiorari; to provide for elections; to provide for  
14 taxation, licenses, and fees; to provide for franchises, service charges, and assessments; to  
15 provide for bonded and other indebtedness; to provide for auditing, accounting, budgeting,  
16 and appropriations; to provide for city contracts and purchasing; to provide for the  
17 conveyance of property; to provide for bonds for officials; to provide for prior ordinances  
18 and rules, pending matters, and existing personnel; to provide for penalties; to provide for  
19 definitions and construction; to provide for other matters relative to the foregoing; to repeal  
20 a specific Act; to repeal conflicting laws; and for other purposes.

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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ARTICLE I  
INCORPORATION AND POWERS  
**SECTION 1.10.**

Name.

26 This city and the inhabitants thereof are constituted and declared a body politic and corporate  
27 under the name and style City of Tennille, Georgia, and by that name shall have perpetual  
28 succession.

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**SECTION 1.11.**  
Corporate boundaries.

31 (a) The boundaries of this city shall be those existing on the effective date of the adoption  
32 of this charter with such alterations as may be made from time to time in the manner  
33 provided by law. The boundaries of this city at all times shall be shown on a map, a written  
34 description, or any combination thereof, to be retained permanently at City Hall and to be  
35 designated, as the case may be: "Official Map or Description of the Corporate Limits of the  
36 City of Tennille, Georgia." Photographic, typed, or other copies of such map or description  
37 certified by the mayor shall be admitted as evidence in all courts and shall have the same  
38 force and effect as with the original map or description.  
39 (b) The city council may provide for the redrawing of any such map by ordinance to reflect  
40 lawful changes in the corporate boundaries. A redrawn map shall supersede for all purposes  
41 the entire map or maps which it is designated to replace.

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**SECTION 1.12.**  
Powers and construction.

44 (a) The city shall have all powers possible for a city to have under the present or future  
45 Constitution and laws of this state as fully and completely as though they were specifically  
46 enumerated in this charter. The city shall have all the powers of self-government not  
47 otherwise prohibited by this charter or by general law.  
48 (b) The powers of the city shall be construed liberally in favor of the city. The specific  
49 mention or failure to mention particular powers shall not be construed as limiting in any way  
50 the powers of the city.

**SECTION 1.13.**

## Specific Power.

(1) Animal regulations. To regulate and license or to prohibit the keeping or running at large of animals and fowl and to provide for the impoundment of same if in violation of any ordinance or lawful order; to provide for the disposition by sale, gift, or humane destruction of animals and fowl when not redeemed as provided by ordinance; and to provide punishment for violation of ordinances enacted under this charter;

(2) Alcoholic beverages. To regulate the sale of all distilled spirits, wines, malt beverages, and other alcoholic beverages; and to pass such ordinances touching on said matter as they may deem proper, that are not inconsistent with the laws of this state or of the United States.

(3) Appropriations and expenditures. To make appropriations for the support of the government of the city; to authorize the expenditure of money for any purposes authorized by this charter and for any purpose for which a municipality is authorized by the laws of the State of Georgia; and to provide for the payment of expenses of the city;

(4) Building regulation. To regulate and to license the erection and construction of buildings and all other structures; to adopt building, housing, plumbing, electrical, gas, and heating and air-conditioning codes; and to regulate all housing and building trades;

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

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

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

(8) Emergencies. To establish procedures for determining and proclaiming that an emergency situation exists within or outside the city and to make and carry out all reasonable provisions deemed necessary to deal with or meet such an emergency for the protection, safety, health, or well-being of the citizens of the city;

(9) Environmental protection. To protect and preserve the natural resources, environment, and vital areas of the state through the preservation and improvement of air

87 quality, the restoration and maintenance of water resources, the control of erosion and  
88 sedimentation, the management of solid and hazardous waste, and other necessary actions  
89 for the protection of the environment;

90 (10) Fire regulations. To fix and establish fire limits and from time to time to extend,  
91 enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with  
92 general law, relating to both fire prevention and detection and to fire fighting; and to  
93 prescribe penalties and punishment for violations thereof;

94 (11) Garbage fees. To levy, fix, assess, and collect a garbage, refuse, and trash collection  
95 and disposal and other sanitary service charge, tax, or fee for such services as may be  
96 necessary in the operation of the city from all individuals, firms, and corporations  
97 residing in or doing business in the city benefiting from such services; to enforce the  
98 payment of such charges, taxes, or fees; and to provide for the manner and method of  
99 collecting such service charges;

100 (12) General health, safety, and welfare. To define, regulate, and prohibit any act,  
101 practice, conduct, or use of property which is detrimental to health, sanitation,  
102 cleanliness, welfare, and safety of the inhabitants of the city and to provide for the  
103 enforcement of such standards;

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

107 (14) Health and sanitation. To prescribe standards of health and sanitation and to provide  
108 for the enforcement of such standards;

109 (15) Jail sentences. To provide that persons given jail sentences in the municipal court  
110 may work out such sentences in any public works or on the streets, roads, drains, and  
111 other public property in the city; to provide for commitment of such persons to any jail;  
112 or to provide for commitment of such persons to any county work camp or county jail by  
113 agreement with the appropriate county officials;

114 (16) Motor vehicles. To regulate the operation of motor vehicles and exercise control  
115 over all traffic, including parking upon or across the streets, roads, alleys, and walkways  
116 of the city;

117 (17) Municipal agencies and delegation of power. To create, alter, or abolish  
118 departments, boards, offices, commissions, and agencies of the city and to confer upon  
119 such agencies the necessary and appropriate authority for carrying out all the powers  
120 conferred upon or delegated to the same;

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

- 124 (19) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or  
125 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or  
126 outside the property limits of the city;
- 127 (20) Municipal property protection. To provide for the preservation and protection of  
128 property and equipment of the city and the administration and use of same by the public;  
129 and to prescribe penalties and punishment for violations thereof;
- 130 (21) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose  
131 of public utilities, including but not limited to a system of waterworks, sewers and drains,  
132 sewage disposal, gas works, electric light plants, cable television and other  
133 telecommunications, transportation facilities, public airports, and any other public utility;  
134 and to fix the taxes, charges, rates, fares, fees, assessments, regulations, and penalties and  
135 to provide for the withdrawal of service for refusal or failure to pay the same;
- 136 (22) Nuisance. To define a nuisance and provide for its abatement whether on public or  
137 private property;
- 138 (23) Penalties. To provide penalties for violation of any ordinances adopted pursuant to  
139 the authority of this charter and the laws of the State of Georgia;
- 140 (24) Planning and land development regulation. To provide comprehensive planning for  
141 growth and development within the city by preparing comprehensive, special area,  
142 transportation, capital facility, recreation and other similar planning documents; and by  
143 adopting and applying land development financing, regulation and incentive programs  
144 such as zoning, subdivision regulation, historic preservation districts, impact fees,  
145 community or business improvement districts, transfer of development rights, and the like  
146 as the city council deems necessary and reasonable to ensure a safe, healthy, and  
147 esthetically pleasing community;
- 148 (25) Police and fire protection. To exercise the power of arrest through duly appointed  
149 police officers and to establish, operate, or contract for a police and a fire-fighting  
150 agency;
- 151 (26) Public hazards; removal. To provide for the destruction and removal of any building  
152 or other structure which is or may become dangerous or detrimental to the public;
- 153 (27) Public improvements. To provide for the acquisition, construction, building,  
154 operation, and maintenance of public ways, parks and playgrounds, public grounds,  
155 recreational facilities, cemeteries, markets and market houses, public buildings, libraries,  
156 sewers, drains, sewage treatment, waterworks, electrical systems, gas systems, other  
157 public utilities, public housing, airports, hospitals, terminals, docks, parking facilities, and  
158 charitable, cultural, educational, recreational, conservation, sport, curative, corrective,  
159 detentional, penal, and medical institutions, agencies, and facilities; and to provide any  
160 other public improvements, inside or outside the corporate limits of the city; to regulate

161 the use of public improvements; and, for such purposes, property may be acquired by  
162 condemnation under Title 22 of the O.C.G.A. or such other applicable laws as are now  
163 or may hereafter be enacted;

164 (28) Public peace. To provide for the prevention and punishment of drunkenness, riots,  
165 and public disturbances;

166 (29) Public transportation. To organize and operate, or to contract for the operation of  
167 such public transportation systems as are deemed beneficial;

168 (30) Public utilities and services. To grant franchises or make contracts for or impose  
169 taxes on public utilities and public service companies and to prescribe the rates, fares,  
170 regulations, and standards and conditions of service applicable to the service to be  
171 provided by the franchise grantee or contractor, insofar as not in conflict with valid  
172 regulations of the Georgia Public Service Commission;

173 (31) Regulation of roadside areas. To prohibit or regulate and control the erection,  
174 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any  
175 and all other structures or obstructions upon or adjacent to the rights of way of streets and  
176 roads or within view thereof, within or abutting the corporate limits of the city; and to  
177 prescribe penalties and punishment for violation of such ordinances;

178 (32) Retirement. To provide and maintain a retirement plan for officers and employees  
179 of the city;

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

187 (34) Sewer fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring,  
188 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant  
189 and sewerage system and to levy on those to whom sewers and sewerage systems are  
190 made available a sewer service fee, charge, or sewer tax for the availability or use of the  
191 sewers; to provide for the manner and method of collecting such service charges and for  
192 enforcing payment of the same; and to charge, impose, and collect a sewer connection fee  
193 or fees to those connected with the system;

194 (35) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish,  
195 and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by  
196 others; and to provide for the separate collection of glass, tin, aluminum, cardboard,  
197 paper, and other recyclable materials and to provide for the sale of such items;

198 (36) Special areas of public regulation. To regulate or prohibit junk dealers, pawn shops,  
 199 the manufacture, sale, or transportation of any intoxicating liquors, and the use of  
 200 firearms; to regulate the transportation, storage, and use of combustible, explosive, and  
 201 inflammable materials, the use of lighting and heating equipment, and any other business  
 202 or situation which may be dangerous to persons or property; to regulate and control the  
 203 conduct of peddlers and itinerant traders, theatrical performances, exhibitions, and shows  
 204 of any kind, by taxation or otherwise; and to license, tax, regulate, or prohibit  
 205 professional fortunetelling, palmistry, adult bookstores, and massage parlors;

206 (37) Special assessments. To levy and provide for the collection of special assessments  
 207 to cover the costs for any public improvements;

208 (38) Taxes: ad valorem. To levy and provide for the assessment, valuation, revaluation,  
 209 and collection of taxes on all property subject to taxation;

210 (39) Taxes: other. To levy and collect such other taxes as may be allowed now or in the  
 211 future by law;

212 (40) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the  
 213 number of such vehicles; to require the operators thereof to be licensed; to require public  
 214 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to  
 215 regulate the parking of such vehicles;

216 (41) Urban redevelopment. To organize and operate an urban redevelopment program;  
 217 and

218 (42) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,  
 219 and immunities necessary or desirable to promote or protect the safety, health, peace,  
 220 security, good order, comfort, convenience, or general welfare of the city and its  
 221 inhabitants; and to exercise all implied powers necessary or desirable to carry into  
 222 execution all powers granted in this charter as fully and completely as if such powers  
 223 were fully stated in this charter; and to exercise all powers now or in the future authorized  
 224 to be exercised by other municipal governments under other laws of the State of Georgia;  
 225 and no listing of particular powers in this charter shall be held to be exclusive of others,  
 226 nor restrictive of general words and phrases granting powers, but shall be held to be in  
 227 addition to such powers unless expressly prohibited to municipalities under the  
 228 Constitution or applicable laws of the State of Georgia.

229 **SECTION 1.14.**

230 Exercise of powers.

231 All powers, functions, rights, privileges, and immunities of the city, its officers, agencies, or  
 232 employees shall be carried into execution as provided by this charter. If this charter makes

233 no provision, such shall be carried into execution as provided by ordinance or as provided  
 234 by pertinent laws of the State of Georgia.

235 **ARTICLE II**

236 **GOVERNMENT STRUCTURE**

237 **SECTION 2.10.**

238 City council creation; number; election districts.

239 (a) The legislative authority of the government of this city, except as otherwise specifically  
 240 provided in this charter, shall be vested in a city council to be composed of a mayor and six  
 241 councilmembers. The city council established in this charter shall in all respects be a  
 242 successor to and continuation of the city governing authority under prior law. The mayor and  
 243 councilmembers shall be elected in the manner provided by this charter.

244 (b) For the purposes of electing members of the city council, the city shall be divided into  
 245 three districts, each containing two posts, identified as "Post 1" and "Post 2," respectively,  
 246 which may be filled according to the procedures provided in Section 5.11 of this charter.

247 (c) City council districts shall consist of that territory within the City of Tennille contained  
 248 in the description of the districts attached to this Act as Appendix A, and as hereafter  
 249 amended by the city council by ordinance to accommodate reapportionment in conformance  
 250 with Chapter 35 of Title 36 of the O.C.G.A.

251 **SECTION 2.11.**

252 City councilmembers;  
 253 terms and qualifications for office.

254 (a) The members of the city council shall serve for terms of four years and until their  
 255 respective successors are elected and qualified.

256 (b) No person shall be eligible to serve as councilmember unless that person shall have been  
 257 a resident of the city for 12 months prior to the date of the election of councilmembers; each  
 258 shall continue to reside therein during that person's period of service and to be registered and  
 259 qualified to vote in municipal elections of this city.

260 **SECTION 2.12.**

261 Vacancy; filling of vacancies.

262 (a) Vacancies—The office of mayor or councilmember shall become vacant upon such  
 263 person's failing or ceasing to reside in the city or upon the occurrence of any event specified



264 by the Constitution, Title 45 of the O.C.G.A., or such other applicable laws as are or may  
265 hereafter be enacted.

266 (b) Filling of vacancies—A vacancy in the office of mayor or councilmember shall be filled  
267 for the remainder of the unexpired term, if any, by appointment if less than 12 months remain  
268 in the unexpired term, otherwise by an election as provided for in Section 5.14 of this charter  
269 and Titles 21 and 45 of the O.C.G.A. or such other laws as are or may hereafter be enacted.

270 (c) Applicability—The provisions of subsection (b) of this section shall apply, without  
271 limitation, to temporary vacancies created by the suspension from office of the mayor or any  
272 councilmember.

273 **SECTION 2.13.**

274 Compensation and expenses.

275 The city council may determine by ordinance the annual salary of the mayor and  
276 councilmembers. The mayor and councilmembers may receive their actual and necessary  
277 expenses incurred in the performance of their duties of office.

278 **SECTION 2.14.**

279 Holding other offices;  
280 voting when financially interested.

281 (a) Fiduciary capacity— Elected and appointed officers of the city are trustees and servants  
282 of the residents of the city and shall act in a fiduciary capacity for the benefit of such  
283 residents.

284 (b) Conflict of interest—No elected official, appointed officer, or employee of the city or  
285 any agency or political entity to which this charter applies shall knowingly:

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

290 (2) Engage in or accept private employment or render services for private interests when  
291 such employment or service is incompatible with the proper discharge of that person's  
292 official duties or would tend to impair the independence of that person's judgment or  
293 action in the performance of that person's official duties;

294 (3) Disclose confidential information, including information obtained at meetings which  
295 are closed pursuant to Chapter 14 of Title 50 of the O.C.G.A., concerning the property,  
296 government, or affairs of the governmental body by which that person is engaged without

297 proper legal authorization or use such information to advance the financial or other  
298 private interest of that person or others;

299 (4) Accept any valuable gift, whether in the form of service, loan, thing, or promise,  
300 from any person, firm, or corporation which to that person's knowledge is interested,  
301 directly or indirectly, in any manner whatsoever, in business dealings with the  
302 governmental body by which that person is engaged; provided, however, that an elected  
303 official who is a candidate for public office may accept campaign contributions and  
304 services in connection with any such campaign;

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

307 (6) Vote or otherwise participate in the negotiation or in the making of any contract with  
308 any business or entity in which that person has a financial interest.

309 (c) Disclosure—Any elected official, appointed officer, or employee who shall have any  
310 financial interest, directly or indirectly, in any contract or matter pending before or within  
311 any department of the city shall disclose such interest to the city council. The mayor or any  
312 councilmember who has a financial interest in any matter pending before the city council  
313 shall disclose such interest and such disclosure shall be entered on the records of the city  
314 council, and that person shall disqualify himself or herself from participating in any decision  
315 or vote relating thereto. Any elected official, appointed officer, or employee of any agency  
316 or political entity to which this charter applies who shall have any financial interest, directly  
317 or indirectly, in any contract or matter pending before or within such entity shall disclose  
318 such interest to the governing body of such agency or entity.

319 (d) Use of public property—No elected official, appointed officer, or employee of the city  
320 or any agency or entity to which this charter applies shall use property owned by such  
321 governmental entity for personal benefit, convenience, or profit except in accordance with  
322 policies promulgated by the city council or the governing body of such agency or entity.

323 (e) Contracts voidable and rescindable—Any violation of this section which occurs with the  
324 knowledge, express or implied, of a party to a contract or sale shall render such contract or  
325 sale voidable at the option of the city council.

326 (f) Ineligibility of elected official—Except where authorized by law, neither the mayor nor  
327 any councilmember shall hold any other elective or compensated appointive office in the city  
328 or otherwise be employed by said government or any agency thereof during the term for  
329 which that person was elected. No former councilmember and no former mayor shall hold  
330 any compensated appointive office in the city until one year after the expiration of the term  
331 for which that person was elected.

332 (g) Political activities of certain officers and employees—No appointed officer and no  
333 employee of the city shall continue in such employment upon qualifying as a candidate for

334 nomination or election to any public office. No employee of the city shall continue in such  
 335 employment upon election to any public office in this city or any other public office which  
 336 is inconsistent, incompatible, or in conflict with the duties of the city employee. Such  
 337 determination shall be made by the mayor and the council either immediately upon election  
 338 or at any time such conflict may arise.

339 (h) Penalties for violation—

340 (1) Any city officer or employee who knowingly conceals such financial interest or  
 341 knowingly violates any of the requirements of this section shall be guilty of malfeasance  
 342 in office or position and shall be deemed to have forfeited that person's office or position.

343 (2) Any officer or employee of the city who shall forfeit that person's office or position  
 344 as described in paragraph (1) of this subsection shall be ineligible for appointment or  
 345 election to or employment in a position in the city government for a period of three years  
 346 thereafter.

### 347 **SECTION 2.15.**

#### 348 Inquiries and investigations.

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

### 355 **SECTION 2.16.**

#### 356 General power and authority of the city council.

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

359 (b) In addition to all other powers conferred upon it by law, the city council shall have the  
 360 authority to adopt and provide for the execution of such ordinances, resolutions, rules, and  
 361 regulations, not inconsistent with this charter and the Constitution and the laws of the state  
 362 of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order,  
 363 protection of life or property, health, welfare, sanitation, comfort, convenience, prosperity,  
 364 or well-being of the inhabitants of the City of Tennille and may enforce such ordinances by  
 365 imposing penalties for violation thereof.

366 **SECTION 2.17.**

367 Eminent domain.

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

376 **SECTION 2.18.**

377 Organizational meetings.

378 The city council shall hold an organizational meeting on the first Monday in January  
379 following each general municipal election. The meeting shall be called to order by the city  
380 clerk and the oath of office shall be administered to the newly elected members as follows:  
381 "I do solemnly (swear) (affirm) that I will faithfully perform the duties of (mayor)  
382 (councilmember) of this city and that I will support and defend the charter thereof as well  
383 as the Constitution and laws of the State of Georgia and of the United States of America."

384 **SECTION 2.19.**

385 Regular and special meetings.

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

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

397 (c) All meetings of the city council shall be public to the extent required by law and notice  
 398 to the public of special meetings shall be made as fully as is reasonably possible as provided  
 399 by Code Section 50-14-1 of the O.C.G.A., or other such applicable laws as are now or may  
 400 hereafter be enacted.

401 **SECTION 2.20.**

402 Rules of procedure.

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

406 (b) All committees and committee chairpersons and officers of the city council shall be  
 407 chosen by a vote of the councilmembers.

408 **SECTION 2.21.**

409 Quorum; voting.

410 (a) Four councilmembers shall constitute a quorum and shall be authorized to transact  
 411 business of the city council. Voting on the adoption of ordinances shall be by voice vote and  
 412 the vote shall be recorded in the journal, but any member of the city council shall have the  
 413 right to request a roll-call vote and such vote shall be recorded in the journal. Except as  
 414 otherwise provided in this charter, the affirmative vote of four councilmembers shall be  
 415 required for the adoption of any ordinance, resolution, or motion.

416 (b) An abstention noted on the record shall be counted as a negative vote.

417 (c) The mayor shall have no vote upon the adoption of ordinances or resolutions except in  
 418 the case of a tie, in which case the mayor's vote shall be recorded in the same manner as if  
 419 cast by a councilmember. This provision shall also be applicable for purposes of adopting  
 420 emergency ordinances as established in Section 2.24 of this charter.

421 **SECTION 2.22.**

422 Ordinance and resolution form; procedures.

423 (a) Every proposed ordinance should be introduced in writing and in the form required for  
 424 final adoption. No ordinance shall contain a subject which is not expressed in its title. The  
 425 enacting clause shall be "It is hereby ordained by the governing authority of the City of  
 426 Tennille..." and every ordinance shall so begin.

427 (b) An ordinance may be introduced by any councilmember and be read at a regular or  
428 special meeting of the city council. Ordinances shall be considered and adopted or rejected  
429 by the city council in accordance with the rules which it shall establish; provided, however,  
430 an ordinance shall not be adopted the same day it is introduced, except for emergency  
431 ordinances provided for in Section 2.24 of this charter. Upon introduction of any ordinance,  
432 the clerk shall as soon as possible distribute a copy to the mayor and to each councilmember  
433 and shall file a reasonable number of copies in the office of the clerk and at such other public  
434 places as the city council may designate.

435 **SECTION 2.23.**

436 Action requiring an ordinance.

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

438 **SECTION 2.24.**

439 Emergencies.

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

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

460

**SECTION 2.25.**

461

Codes of technical regulations.

462 (a) The city council may adopt any standard code of technical regulations by reference  
463 thereto in an adopting ordinance. The procedure and requirements governing such adopting  
464 ordinance shall be as prescribed for ordinances generally except that: (1) the requirements  
465 of subsection (b) of Section 2.22 of this charter for distribution and filing of copies of the  
466 ordinance shall be construed to include copies of any code of technical regulations, as well  
467 as the adopting ordinance; and (2) a copy of each adopted code of technical regulations, as  
468 well as the adopting ordinance, shall be authenticated and recorded by the clerk pursuant to  
469 Section 2.26 of this charter.

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

472

**SECTION 2.26.**

473

Signing; authenticating;

474

recording; codification; printing.

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

477 (b) In accordance with Section 7.11 of this charter, the city council shall provide for the  
478 preparation of a general codification of all the ordinances of the city having the force and  
479 effect of law. The general codification shall be adopted by the city council by ordinance and  
480 shall be published promptly, together with all amendments thereto and such codes of  
481 technical regulations and other rules and regulations as the city council may specify. This  
482 compilation shall be known and cited officially as "The Code of the City of Tennille,  
483 Georgia." Copies of the code shall be furnished to all officers, departments, and agencies of  
484 the city and made available for purchase by the public at a reasonable price as fixed by the  
485 city council.

486 (c) The city council shall cause each ordinance and each amendment to this charter to be  
487 printed promptly following its adoption, and the printed ordinances and charter amendments  
488 shall be made available for purchase by the public at reasonable prices to be fixed by the city  
489 council. Following publication of the first code under this charter and at all times thereafter,  
490 the ordinances and charter amendments shall be printed in substantially the same style as the  
491 code codified in conformance with Sections 2.26 and 7.11 of this charter and shall be suitable  
492 in form for incorporation therein. The city council shall make such further arrangements as

493 deemed desirable with reproduction and distribution of any current changes in or additions  
494 to codes of technical regulations and other rules and regulations included in the code.

495 **SECTION 2.27.**

496 Election of mayor; forfeiture; compensation.

497 The mayor shall be elected and shall serve for a term of four years and until the mayor's  
498 successor is elected and qualified. The mayor shall be a qualified elector of this city and  
499 shall have been a resident of the city for 12 months prior to the election. The mayor shall  
500 continue to reside in this city during the period of the mayor's service. The mayor shall forfeit  
501 the office of mayor on the same grounds and under the same procedure as for  
502 councilmembers. The compensation of the mayor shall be established in the same manner  
503 as for councilmembers.

504 **SECTION 2.28.**

505 Mayor pro tempore; selection; duties.

506 By a majority vote, the councilmembers shall elect a councilmember to serve as mayor pro  
507 tempore. Election of the mayor pro tempore shall occur at each organizational meeting of  
508 the city council as established in Section 2.18 of this charter. The mayor pro tempore shall  
509 assume the duties and powers of the mayor during the mayor's physical or mental disability  
510 or absence. Any such disability or absence shall be declared by a majority vote of the  
511 councilmembers. The mayor pro tempore shall sign all contracts and ordinances in which  
512 the mayor has a disqualifying financial interest as provided in Section 2.14 of this charter.

513 **SECTION 2.29.**

514 Powers and duties of mayor.

515 The mayor shall:

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



- 523 (5) Vote on matters before the city council and be counted toward a quorum as any other  
 524 councilmember;
- 525 (6) Prepare and submit to the city council a recommended annual operating budget and  
 526 recommended capital budget;
- 527 (7) Fulfill such other executive and administrative duties as the city council shall by  
 528 ordinance establish;
- 529 (8) Suspend all appointed officers and department heads of the city as provided in  
 530 Section 3.10(e) of this charter;
- 531 (9) Recommend to the city council such measures relative to the affairs of the city,  
 532 improvement of the government, and promotion of the welfare of its inhabitants as the  
 533 mayor may deem expedient; and
- 534 (10) Perform other such duties as may be required by law, this charter, or by ordinance.

535 **SECTION 2.30.**

536 Limitation on terms of service.

537 There shall be no limitation on the number of terms that a mayor may serve as mayor of the  
 538 City of Tennille.

539 **SECTION 2.31.**

540 Submission of ordinances to the mayor.

- 541 (a) Every ordinance adopted by the city council shall be presented promptly by the clerk to  
 542 the mayor.
- 543 (b) The mayor, within ten calendar days of receipt of an ordinance, shall return it to the city  
 544 clerk with or without the mayor's approval or with the mayor's disapproval. If the ordinance  
 545 has been approved by the mayor, it shall become law upon its return to the city clerk; if the  
 546 ordinance is neither approved nor disapproved, it shall become law at 12:00 Noon on the  
 547 tenth calendar day after its adoption; if the ordinance is disapproved, the mayor shall submit  
 548 to the councilmembers through the city clerk a written statement of the reasons for the veto.  
 549 The city clerk shall record upon the ordinance the date of its delivery to and receipt from the  
 550 mayor.



584 ordinance, except where other appointing authority, terms of office, or manner of  
585 appointment is prescribed by this charter or by law.

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

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

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

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

597 (g) All members of boards, commissions, or authorities of the city serve at will and may be  
598 removed at any time by a vote of four councilmembers unless otherwise provided by law.

599 (h) Except as otherwise provided by this charter or by law, each board, commission, or  
600 authority of the city shall elect one of its members as chairperson and one member as vice  
601 chairperson and may elect as its secretary one of its own members or may appoint as  
602 secretary an employee of the city. Each board, commission, or authority of the city  
603 government may establish such bylaws, rules, and regulations, not inconsistent with this  
604 charter, ordinances of the city, or law, as it deems appropriate and necessary for the  
605 fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules, and  
606 regulations shall be filed with the clerk of the city.

607 **SECTION 3.12.**

608 City attorney.

609 Subject to nomination by the mayor under Section 3.10(e) of this charter, the mayor and city  
610 council shall appoint a city attorney, together with such assistant city attorneys as may be  
611 authorized, and shall provide for the payment of such attorney or attorneys for services  
612 rendered to the city. The city attorney shall be responsible for providing for the  
613 representation and defense of the city in all litigation in which the city is a party; may be the  
614 prosecuting officer in the municipal court; shall attend the meetings of the city council as  
615 directed; shall advise the city council, mayor, and other officers and employees of the city  
616 concerning legal aspects of the city's affairs; and shall perform such other duties as may be  
617 required by virtue of such person's position as city attorney.

618 **SECTION 3.13.**

619 City clerk.

620 Subject to nomination by the mayor under Section 3.10(e) of this charter, the mayor and city  
621 council shall appoint a city clerk who shall not be a councilmember. The city clerk shall be  
622 custodian of the official city seal and city records; maintain city council records required by  
623 this charter; and perform such other duties as may be required by the city council. The city  
624 council shall provide for the compensation of the city clerk.

625 **SECTION 3.14.**

626 Position classification and pay plans.

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

633 **SECTION 3.15.**

634 Personnel policies.

635 All employees serve at will and may be removed from office at any time unless otherwise  
636 provided by ordinance.

637 **ARTICLE IV**

638 **JUDICIAL BRANCH**

639 **SECTION 4.10.**

640 Creation; name.

641 There shall be a court to be known as the Municipal Court of the City of Tennille.

642 **SECTION 4.11.**

643 Chief judge; associate judge.

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

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

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

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

653 (e) Before assuming office, each judge shall take an oath, given by the mayor, that such  
654 judge will honestly and faithfully discharge the duties of the judge's office to the best of the  
655 judge's ability and without fear, favor, or partiality. The oath shall be entered upon the  
656 minutes of the city council journal required in Section 2.20 of this charter.

657 **SECTION 4.12.**

658 Convening.

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

660 **SECTION 4.13.**

661 Jurisdiction; powers.

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

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

666 (c) The municipal court may fix punishment for offenses within its jurisdiction not  
667 exceeding a fine of \$2,500.00 or imprisonment for 14 days or both such fine and  
668 imprisonment or may fix punishment by fine, imprisonment, or alternative sentencing, as  
669 now or hereafter provided by law.

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

673 (e) The municipal court shall have authority to establish bail and recognizances to ensure  
674 the presence of those charged with violations before such court and shall have discretionary  
675 authority to accept cash or personal or real property as surety for the appearance of persons  
676 charged with violations. Whenever any person shall give bail for that person's appearance  
677 and shall fail to appear at the time fixed for trial, that person's bond shall be forfeited by the  
678 judge presiding at such time and an execution issued thereon by serving the defendant and

679 the defendant's sureties with a rule nisi at least two days before a hearing on the rule nisi.  
680 In the event that cash or property is accepted in lieu of bond for security for the appearance  
681 of a defendant at trial, and if such defendant fails to appear at the time and place fixed for  
682 trial, the cash so deposited shall be on order of the judge declared forfeited to the city, or the  
683 property so deposited shall have a lien against it for the value forfeited which lien shall be  
684 enforceable in the same manner and to the same extent as a lien for city property taxes.

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

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

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

#### 695 **SECTION 4.14.**

##### 696 Certiorari.

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

#### 701 **SECTION 4.15.**

##### 702 Rules for court.

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



737

**SECTION 5.14.**

738

Special elections; vacancies.

739 In the event that the office of mayor or councilmember shall become vacant as provided in  
 740 Section 2.12(a) of this charter, the city council or those remaining shall order a special  
 741 election to fill the balance of the unexpired term of such official; provided, however, if such  
 742 vacancy occurs within 12 months of the expiration of the term of that office, the city council  
 743 or those members remaining shall appoint a successor for the remainder of the term. In all  
 744 other respects, the special election shall be held and conducted in accordance with Chapter  
 745 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

746

**SECTION 5.15.**

747

Other provisions.

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

751

**SECTION 5.16.**

752

Removal of officers.

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

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

758 (1) Following a hearing at which an impartial panel shall render a decision. In the event  
 759 an elected officer is sought to be removed by the action of the city council, such officer  
 760 shall be entitled to a written notice specifying the ground or grounds for removal and to  
 761 a public hearing which shall be held not less than ten days after the service of such  
 762 written notice. The city council shall provide by ordinance for the manner in which such  
 763 hearings shall be held. Any elected officer sought to be removed from office as provided  
 764 in this section shall have the right of appeal from the decision of the city council to the  
 765 Superior Court of Washington County. Such appeal shall be governed by the same rules  
 766 as govern appeals to the superior court from the probate court; or

767 (2) By an order of the Superior Court of Washington County following a hearing on a  
 768 complaint seeking such removal brought by any resident of the City of Tennille.





798

**SECTION 6.14.**

799

Franchises.

800 (a) The city council shall have the power to grant franchises for the use of this city's streets  
801 and alleys for the purposes of railroads, street railways, telephone companies, electric  
802 companies, electric membership corporations, cable television and other telecommunications  
803 companies, gas companies, transportation companies, and other similar organizations. The  
804 city council shall determine the duration, terms, whether the same shall be exclusive or  
805 nonexclusive, and the consideration for such franchises; provided, however, no franchise  
806 shall be granted for a period in excess of 35 years and no franchise shall be granted unless  
807 the city receives just and adequate compensation therefor. The city council shall provide for  
808 the registration of all franchises with the city clerk in a registration book kept by the city  
809 clerk. The city council may provide by ordinance for the registration within a reasonable  
810 time of all franchises previously granted.

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

816

**SECTION 6.15.**

817

Service charges; user fees.

818 The city council by ordinance shall have the power to assess and collect fees, charges, and  
819 tolls for sewers, sanitary and health services, or any other services provided or made  
820 available within and outside the corporate limits of the city for the total cost to the city of  
821 providing or making available such services. If unpaid, such charges shall be collected as  
822 provided in Section 6.18 of this charter.

823

**SECTION 6.16.**

824

Special assessments.

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

830 **SECTION 6.17.**

831 Construction; other taxes.

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

835 **SECTION 6.18.**

836 Collection of delinquent taxes and fees.

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

844 **SECTION 6.19.**

845 General obligation bonds.

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

850 **SECTION 6.20.**

851 Revenue bonds.

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

855 **SECTION 6.21.**

856 Short-term loans.

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

859 **SECTION 6.22.**

860 Lease-purchase contracts.

861 The city may enter into multiyear lease, purchase, or lease-purchase contracts for the  
862 acquisition of goods, materials, real and personal property, services, and supplies, provided  
863 the contract terminates without further obligation on the part of the municipality at the close  
864 of the calendar year in which it was executed and at the close of each succeeding calendar  
865 year for which it may be renewed. Contracts must be executed in accordance with the  
866 requirements of Code Section 36-60-13 of the O.C.G.A., or other such applicable laws as are  
867 or may hereafter be enacted.

868 **SECTION 6.23.**

869 Fiscal year.

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

873 **SECTION 6.24.**

874 Preparation of budget.

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

879 **SECTION 6.25.**

880 Submission of operating budget to city council.

881 On or before a date fixed by the city council but not later than 60 days prior to the beginning  
882 of each fiscal year, the mayor shall submit to the city council a proposed operating budget  
883 for the ensuing fiscal year. The budget shall be accompanied by a message from the mayor  
884 containing a statement of the general fiscal policies of the city, the important features of the  
885 budget, explanations of major changes recommended for the next fiscal year, a general  
886 summary of the budget, and such other pertinent comments and information. The operating  
887 budget, the capital improvements budget, the budget message, and all supporting documents  
888 shall be filed in the office of the city clerk and shall be open to public inspection.

889

**SECTION 6.26.**

890

Action by city council on budget.

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

896 (b) The city council by ordinance shall adopt the final operating budget for the ensuing fiscal  
897 year not later than June 30 of each year. If the city council fails to adopt the budget by said  
898 date, the amounts appropriated for operation for the then current fiscal year shall be deemed  
899 adopted for the ensuing fiscal year on a month-to-month basis, with all items prorated  
900 accordingly, until such time as the city council adopts a budget for the ensuing fiscal year.  
901 Adoption of the budget shall take the form of an appropriations ordinance setting out the  
902 estimated revenues in detail by sources and making appropriations according to fund and by  
903 organizational unit, purpose, or activity as set out in the budget preparation ordinance  
904 adopted pursuant to Section 6.24 of this charter.

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

909

**SECTION 6.27.**

910

Levy of taxes.

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

917

**SECTION 6.28.**

918

Changes in appropriations.

919 The city council by ordinance may make changes in the appropriations contained in the  
920 current operating budget at any regular meeting or special or emergency meeting called for

921 such purpose, but any additional appropriations may be made only from an existing  
922 unexpended surplus.

923 **SECTION 6.29.**

924 Capital budget.

925 (a) On or before the date fixed by the city council, but not later than 60 days prior to the  
926 beginning of each fiscal year, the mayor shall submit to the city council a proposed capital  
927 improvements plan with a recommended capital budget containing the means of financing  
928 the improvements proposed for the ensuing fiscal year. The city council shall have power  
929 to accept, with or without amendments, or reject the proposed plan and budget. The city  
930 council shall not authorize an expenditure for the construction of any building, structure,  
931 work, or improvement unless the appropriations for such project are included in the capital  
932 budget, except to meet a public emergency as provided in Section 2.24 of this charter.

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

940 **SECTION 6.30.**

941 Independent audit.

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

947 **SECTION 6.31.**

948 Contracting procedures.

949 No contract with the city shall be binding on the city unless:

- 950 (1) It is in writing;
- 951 (2) It is drawn by or submitted and reviewed by the city attorney and, as a matter of  
952 course, is signed by the city attorney to indicate such drafting or review; and
- 953 (3) It is made or authorized by the city council and such approval is entered in the city  
954 council journal of proceedings pursuant to Section 2.20 of this charter.

955 **SECTION 6.32.**

956 Centralized purchasing.

957 The city council shall by ordinance prescribe procedures for a system of centralized  
958 purchasing for the city.

959 **SECTION 6.33.**

960 Sale and lease of city property.

- 961 (a) The city council may sell and convey or lease any real or personal property owned or  
962 held by the city for governmental or other purposes as now or hereafter provided by law.
- 963 (b) The city council may quitclaim any rights it may have in property not needed for public  
964 purposes upon report by the mayor and adoption of a resolution, both finding that the  
965 property is not needed for public or other purposes and that the interest of the city has no  
966 readily ascertainable monetary value.
- 967 (c) Whenever in opening, extending, or widening any street, avenue, alley, or public place  
968 of the city a small parcel or tract of land is cut off or separated by such work from a larger  
969 tract or boundary of land owned by the city, the city council may authorize the mayor to sell  
970 and convey said cut-off or separated parcel or tract of land to an abutting or adjoining  
971 property owner or owners where such sale and conveyance facilitates the highest and best  
972 use of the abutting owner's property. Included in the sales contract shall be a provision for  
973 the rights of way of said street, avenue, alley, or public place. Each abutting property owner  
974 shall be notified of the availability of the property and given the opportunity to purchase said  
975 property under such terms and conditions as set out by ordinance. All deeds and  
976 conveyances heretofore and hereafter so executed and delivered shall convey all title and  
977 interest the city has in such property, notwithstanding the fact that no public sale after  
978 advertisement was or is hereafter made.





**SECTION 7.14.**

## Construction.

1008  
1009  
1010 (a) Section captions in this charter are informative only and are not to be considered as a part  
1011 thereof.

1012 (b) The word "shall" is mandatory and the word "may" is permissive.

1013 (c) The singular shall include the plural, the masculine shall include the feminine, and vice  
1014 versa.

**SECTION 7.15.**

## Severability.

1015  
1016  
1017 If any article, section, subsection, paragraph, sentence, or part thereof of this charter shall be  
1018 held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect  
1019 or impair other parts of this charter unless it clearly appears that such other parts are wholly  
1020 and necessarily dependent upon the part held to be invalid or unconstitutional, it being the  
1021 legislative intent in enacting this charter that each article, section, subsection, paragraph,  
1022 sentence, or part thereof be enacted separately and independent of each other.

**SECTION 7.16.**

## Repealer.

1023  
1024  
1025 An Act amending, consolidating, and superseding the several Acts incorporating the City of  
1026 Tennille in the County of Washington, approved August 21, 1906 (Ga. L. 1906, p. 1073), is  
1027 hereby repealed in its entirety and all amendatory Acts thereto are likewise repealed in their  
1028 entirety.

**SECTION 7.17.**

## General repealer.

1029  
1030  
1031 All laws and parts of laws in conflict with this Act are repealed.

## 1032 APPENDIX A - CITY COUNCIL ELECTION DISTRICTS

1033 (See: SECTION 2.10. City Council Creation; Number; Election Districts.)

## 1034 DISTRICT ONE

1035 Beginning at a point where the centerline of State Route 15 intersects with the centerline of  
 1036 County Road 347, known as the Matthews Road and from said beginning point running in  
 1037 a Westerly direction along the centerline of Matthews Road which is the City Limits of the  
 1038 City of Tennille to a point where the City Limits of the City of Tennille leave the centerline  
 1039 of Matthews Road; thence continuing Southwesterly to a point in the center of Judson Street  
 1040 where City Limits of City of Tennille intersects Judson Street; thence following the  
 1041 centerline of Judson Street in a Southeasterly direction to a point where the centerline of  
 1042 Judson Street intersects the centerline of Church Street; thence continuing Easterly to a point  
 1043 where the centerline of Church Street intersects the centerline of Fargo Street; thence  
 1044 continuing Southeasterly and Easterly along Fargo Street to a point where the centerline of  
 1045 Fargo Street intersects the centerline of Smith Street; thence continuing Northerly following  
 1046 the centerline of Smith Street to a point where the centerline of Smith Street intersects the  
 1047 centerline of Church Street; thence continuing Easterly along the centerline of Church Street  
 1048 to a point where the centerline of Church Street intersects the centerline of State Route 15,  
 1049 known as Main Street; thence continuing Northerly along the centerline of State Route 15  
 1050 to the point of beginning where the centerline of State Route 15 intersects the centerline of  
 1051 County Road 347, known as the Matthews Road.

## 1052 DISTRICT TWO

1053 Beginning at a point where the City Limits of the City of Tennille intersect the centerline of  
 1054 Judson Street and from said beginning point running Southwesterly to a point on the right  
 1055 of way of State Route 68 where the City Limits of the City of Tennille follow the right of  
 1056 way of State Route 68 to a point where said City Limits intersect the centerline of Matthews  
 1057 Road; thence continuing Northwesterly and Southwesterly around the home of Tom and  
 1058 Elizabeth Simmons; thence following the City Limits of the City of Tennille along the right  
 1059 of way of State Route 68 to a point where the City Limits of the City of Tennille leave the  
 1060 right of way of State Route 68 in order to move Northeasterly, Northwesterly, and  
 1061 Southwesterly in order to take in the Clubhouse of the Twin City Country Club; thence  
 1062 returning to the right of way of State Route 68 and continuing in a Northwesterly direction  
 1063 for approximately 1200 feet to a point where the City Limits of the City of Tennille leave the  
 1064 right of way of State Route 68; thence continuing Northeasterly, Northwesterly and  
 1065 Southwesterly in order to take in property of the V.F.W; thence returning to a point where  
 1066 the Northwesterly most point of the property of the V.F.W. intersects the right of way of

1067 State Route 68 and the City Limits of the City of Tennille; thence continuing Southeasterly  
 1068 and Easterly along the right of way of State Route 68 to a point 1620 feet, more or less,  
 1069 Easterly of the centerline of the intersection of Matthews Road and State Route 68; thence  
 1070 continuing Southwesterly across the right of way of State Route 68 to a point on the Southern  
 1071 most side of the right of way of State Route 68; thence continuing Northwesterly along the  
 1072 right of way of State Route 68 to a point where the right of way of State Route 68 intersects  
 1073 the right of way of Highway S-687; thence continuing in a Southwesterly direction for a  
 1074 distance of 445 feet along the right of way of Highway S-687; thence Southeasterly,  
 1075 Northeasterly, Northwesterly and Northeasterly around the properly now or formerly  
 1076 belonging to C. V. Smith, Sr., known as Oak Lodge; thence Easterly along the right of way  
 1077 of State Route 68 to a point where the City Limits of the City of Tennille leave the right of  
 1078 way of State Route 68; thence continuing Southerly and Southeasterly along the City Limits  
 1079 of the City of Tennille to a point where the City Limits of the City of Tennille intersect the  
 1080 centerline of the Mainline of the Central of Georgia Railroad, now Southern Railroad; thence  
 1081 continuing in a Northeasterly direction along the centerline of the Mainline of the Central of  
 1082 Georgia Railroad to a point in the center of the Mainline of the Central of Georgia Railroad  
 1083 where the said railroad intersects the City Limits of the City of Tennille; thence continuing  
 1084 Northerly, Easterly, Northwesterly, Westerly, Northerly and Westerly to a point where the  
 1085 City Limits of Tennille intersect the centerline of State Route 15, known as Main Street, and  
 1086 the centerline of Matthews Road; thence continuing Southerly along the centerline of State  
 1087 Route 15 to a point where the centerline of State Route 15 intersects the centerline of Church  
 1088 Street; thence continuing Westerly along the centerline of Church Street to a point where the  
 1089 centerline of Church Street intersects the centerline of Smith Street; thence continuing  
 1090 Southerly along the centerline of Smith Street to a point where the centerline of Smith Street  
 1091 intersects the centerline of Fargo Street; thence Westerly and Northwesterly along the  
 1092 centerline of Fargo Street to a point where the centerline of Fargo Street intersects the  
 1093 centerline of Church Street; thence continuing Westerly along the centerline of Church Street  
 1094 to a point where the centerline of Church Street intersects the center of Judson Street; thence  
 1095 continuing Northwesterly along the centerline of Judson Street to the point of beginning  
 1096 where Judson Street intersects the City Limits of Tennille.

1097 DISTRICT THREE

1098 Beginning at a point in the center of the Mainline of the Central of Georgia Railroad, now  
 1099 Southern Railroad, where the Mainline of the Southern Railroad intersects the Western most  
 1100 portion of the City Limits of the City of Tennille and from said beginning point running  
 1101 along the City Limits of the City of Tennille in a Southeasterly, Easterly, Northeasterly and  
 1102 Northerly direction to a point where the City Limits of City of Tennille intersect the

1103 centerline of the Mainline of the Central of Georgia Railroad; thence continuing  
1104 Southwesterly along the centerline of the Central of Georgia Railroad to the point of  
1105 beginning where the centerline of the Central of Georgia Railroad intersects the City Limits  
1106 of the City of Tennille.