

House Bill 541

By: Representative Jackson of the 142nd

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.