

House Bill 682 (AS PASSED HOUSE AND SENATE)

By: Representative Sellier of the 136th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing a charter for the City of Byron, approved February 13, 1941 (Ga.
2 L. 1941, p. 1210), as amended, so as to provide for city administrator; to provide for the
3 selection of such administrator; to provide for terms for such administrator; to provide for
4 qualifications to serve as city administrator; to provide for duties; to provide for the authority
5 to assess, levy, and collect ad valorem taxes on all real and personal property within the City
6 of Byron; to provide for a method for establishing such taxes; to provide for related matters;
7 to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act providing a charter for the City of Byron, approved February 13, 1941 (Ga. L. 1941,
11 p. 1210), as amended, is amended by adding a new section to read as follows:

12 "SECTION 19.
13 City Administrator.

14 (a) The city council, in its sole discretion, may name a city administrator to administer the
15 day-to-day operations of the city, subject to general direction from the City Council. The
16 administrator shall be selected on the basis of his or her executive and administrative
17 qualifications and need not be a resident of the City of Byron when appointed but after
18 such selection, and during his or her tenure of office, shall be a resident within the city.
19 The mayor and city council members of the City of Byron shall be ineligible to serve as
20 city administrator during their respective terms of office.

21 (b) The appointment shall be for an indefinite term, and the administrator may be removed
22 at any time by a majority vote of the city council.

23 (c) The city administrator may also be the clerk or treasurer, or both, as authorized by the
24 city council.

25 (d) Before any city administrator shall be qualified, he or she shall give a surety bond
 26 payable to the city in such amount as city council shall deem appropriate to secure and
 27 indemnify the city by reason of his or her default, misfeasance, or nonfeasance in the
 28 performance of his or her duties and shall be required to take the same oath as provided for
 29 council members.

30 (e) The city council shall by ordinance set out and stipulate the duties and responsibilities
 31 of the city administrator, and when appointed and qualified, said city administrator shall
 32 have all such rights, powers, and responsibilities as stipulated in such ordinance; but at all
 33 times the city administrator shall be subordinate to the mayor and council with no rights
 34 and powers except such as are delegated by the city council. The city council, by
 35 ordinance, shall also be authorized to provide for the designation of an assistant city
 36 administrator to serve in the city administrator's absence. Nothing in said ordinance or in
 37 this section shall diminish the rights, authority, or powers of the mayor as chief executive
 38 officer of the city."

39 **SECTION 2.**

40 Said Act is further amended by revising Section 31 as follows:

41 "SECTION 31.

42 Taxes; Millage Rate; Due Dates; Payment Methods.

43 (a) *Property Taxes.* The city council may assess, levy, and collect an ad valorem tax on
 44 all real and personal property within the corporate limits of the city that is subject to such
 45 taxation by the state and county. This tax is for the purpose of raising revenues to defray
 46 the costs of operating the city government, of providing governmental services, for the
 47 repayment of principal and interest on general obligations, and for any other public purpose
 48 as determined by the city council in its discretion.

49 (b) *Millage Rate; Due Dates; Payment Methods.* The city council by ordinance or
 50 resolution shall establish a millage rate for the city property tax, a due date, and the time
 51 period within these taxes must be paid. The city council, by ordinance or resolution, may
 52 provide for the payment of these taxes by installments or in one lump sum as well as
 53 authorize the voluntary payment of taxes prior to the time when due."

54 **SECTION 2.**

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