House Bill 1169

By: Representative Porter of the 143rd

A BILL TO BE ENTITLED

AN ACT

To provide a new charter for the Town of Cadwell; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such town and the powers, duties, authority, election, terms, method of filling vacancies, compensation, qualifications, prohibitions, and removal from office relative to members of such governing authority; to provide for inquiries and investigations; to provide for organization and procedures; to provide for ordinances and codes; to provide for the office of mayor and certain duties and powers relative to the office of mayor; to provide for administrative responsibilities; to provide for boards, commissions, and authorities; to provide for a town attorney, a town clerk, a town treasurer, and other personnel; to provide for rules and regulations; to provide for a municipal court and the judge or judges thereof; to provide for practices and procedures; to provide for taxation and fees; to provide for franchises, service charges, and assessments; to provide for bonded and other indebtedness; to provide for accounting and budgeting; to provide for purchases; to provide for the sale of property; to provide for bonds for officials; to provide for eminent domain; to provide for penalties; to provide for definitions and construction; to provide for other matters relative to the foregoing; to repeal a specific Act; to repeal conflicting laws; and for other purposes.

ARTICLE I

INCORPORATION AND POWERS

Section 1.10.

Incorporation.

The Town of Cadwell in Laurens County is reincorporated by the enactment of this charter and is constituted and declared a body politic and corporate under the name of the "Town of Cadwell." References in this charter to "the town" or "this town" refer to the Town of Cadwell. The town shall have perpetual existence.

Section 1.11.

Corporate boundaries.

(a) The boundaries of this town shall be those existing on the effective date of the adoption of this Charter with such alterations as may be made from time to time in the manner provided by general law. The boundaries of this town at all times shall be shown on a map to be retained permanently in the office of the town clerk and to be designated, "Official Map of the Corporate Limits of the Town of Cadwell, Georgia." Photographic, typed, or other copies of such map or description certified by the town clerk shall be admitted as evidence in all courts and shall have the same force and effect as with the original map or description.

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

Section 1.12.

Municipal powers.

(a) This town shall have all powers possible for a town to have under the present or future Constitution and laws of this state as fully and completely as though they were specifically enumerated in this chapter. This town shall have all the powers of self-government not otherwise prohibited by this charter or by general law.

(b) The powers of this town shall be construed liberally in favor of the town. The specific mention or failure to mention particular powers shall not be construed as limiting in any way the powers of this town. Said powers shall include but are not limited to, the following:

(1) Air and water pollution. To regulate the emission of smoke or other exhaust which pollutes the air and to prevent the pollution of natural streams which flow within the corporate limits of the town;

(2) 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 paragraph;

(3) Appropriations and expenditures. To make appropriations for the support of the government of the town; 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 this town;

(4) Building regulations. 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 the collection of license fees and taxes on privileges, occupations, trades, and professions; to license and regulate the same; to provide for the manner and method of payment of such licenses and taxes; and to revoke such licenses after due process for the failure to pay any town taxes or fees;

(6) Condemnation. To condemn property, inside or outside the corporate limits of the town, 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 laws as are or may hereafter be enacted;

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

(8) Emergencies. To establish procedures for determining and proclaiming that an emergency situation exists inside or outside the town 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 town.

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

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

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

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

(13) Health and sanitation. To prescribe standards of health and sanitation within the town and to provide for the enforcement of such standards;

(14) Jail sentences. To provide that persons given jail sentences in the town's court may work out such sentences in any public works or on the streets, roads, drains, and squares in the town; to provide for the commitment of such persons to any jail; or to provide for the commitment of such persons to any county work camp or county jail by agreement with the appropriate county officials;

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

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

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

(18) Municipal property ownership. To acquire, dispose of, and hold in trust or otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or outside the property limits of the town;

(19) Municipal property protection. To provide for the preservation and protection of property and equipment of the town and the administration and use of same by the public; and to prescribe penalties and punishment for violations thereof;

(20) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose of public utilities, including, but not limited to, a system of waterworks, sewers, and drains, sewage disposal, gas works, electric plants, transportation facilities, public airports, and any other public utility; to fix the taxes, charges, rates, fares, fees, assessments, regulations, and penalties therefor; to provide for the withdrawal of service for refusal or failure to pay the same; to authorize the extension of water, sewerage, and electrical distribution systems, and all necessary appurtenances by which said utilities are distributed, inside and outside the corporate limits of the town; and to provide utility services to persons, firms, and corporations inside and outside the corporate limits of the town as provided by ordinance;

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

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

(23) Planning and zoning. To provide comprehensive town planning for development by zoning and to provide subdivision regulation and the like as the town council deems necessary and reasonable to ensure a safe, healthy, and esthetically pleasing community;

(24) Police and fire protection. To exercise the power of arrest through duly appointed police officers and to establish, operate, or contract for a police and a fire-fighting agency;

(25) Public hazards; removal. To provide for the destruction and removal of any building or other structure which is or may become dangerous or detrimental to the public;

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

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

(28) Public transportation. To organize and operate or contract for such public transportation systems as are deemed beneficial;

(29) Public utilities and services. To grant franchises or make contracts for public utilities and public services and to prescribe the rates, fares, regulations, and the standards and conditions of service applicable to the service to be provided by the franchise grantee or contractor, insofar as not in conflict with valid regulations of the Public Service Commission;

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

(31) Retirement. To provide and maintain a retirement plan for officers and employees of the town;

(32) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and walkways within the corporate limits of the town; to negotiate and execute leases over, through, under, or across any town property or the right of way of any street, road, alley, and walkway or portion thereof within the corporate limits of the town for bridges, passageways, or any other purpose or use between buildings on opposite sides of the street and for other bridges, overpasses, and underpasses for private use at such location and to charge rental therefor in such manner as may be provided by ordinance; to authorize and control the construction of bridges, overpasses, and underpasses within the corporate limits of the town; to grant franchises and rights of way throughout the streets and roads and over the bridges and viaducts for the use of public utilities and for private use; and to require real estate owners to repair and maintain in a safe condition the sidewalks adjoining their lots or lands and to impose penalties for failure to do so;

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

(34) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish, and refuse and to regulate the collection of garbage, rubbish, and refuse by others; and to provide for the separate collection of glass, tin, aluminum, cardboard, paper, and other recyclable materials;

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

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

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

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

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

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

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

Section 1.13.

Exercise of powers.

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

ARTICLE II

GOVERNMENT STRUCTURE, ELECTIONS, AND REMOVAL

Section 2.10.

Town council creation; composition, number; election.

(a) The legislative authority of the government of this town, except as otherwise specifically provided in this charter, shall be vested in a town council to be composed of a mayor and five council-members.

(b) The mayor and council-members shall serve for terms of four years and until their respective successors are elected and qualified. No person shall be eligible to serve as mayor or council-member unless he or she is at least 21 years of age and has been a resident of this town for six months immediately preceding the election of mayor or council-members; each such person shall continue to reside within the town during said period of service and shall be registered and qualified to vote in municipal elections of this town. No person shall be listed as a candidate on the ballot for election for either mayor or council-member unless such person shall file a written notice with the clerk of said town that he or she desires his or her name to be placed on said ballot as a candidate either for mayor our council-member. No person shall be eligible for the office of mayor or council-member unless such person shall file above said notice within the time provided for in Chapter 3 of Title 21 of the O.C.G.A., the "Georgia Municipal Election Code."

Section 2.11.

Elections.

(a) At any election, all persons who are qualified under the Constitution and laws of Georgia to vote for members of the General Assembly of Georgia and who are bona fide residents of said town shall be eligible to qualify as voters in the election.

(b) All primaries and elections shall be held and conducted in accordance with Chapter 3 of Title 21 of the O.C.G.A., the "Georgia Municipal Election Code." Except as otherwise provided by this charter, the town council shall by ordinance prescribe such rules and regulations it deems appropriate to fulfill any options and duties under the "Georgia Municipal Election Code."

(c) The mayor and council-members who are in office on the effective date of this Charter shall continue to serve until the expiration of the term of office to which they were elected and until their successors are elected and qualified.

(d) For the purpose of electing members of the council, the Town of Cadwell shall consist of one election district with five at-large posts.

(e) On the first Tuesday in November in 2009, and on that day biennially thereafter, there shall be elected three council-members. Then on the first Tuesday in November in 2011, and on that day biannually thereafter, there shall be elected a mayor and two council-members. It is the purpose of this section to provide a rotation system for the office of mayor and council-members. The terms of the offices shall begin at the time of taking the oath of office as provided in Section 3.11 of this charter.

Section 2.12.

Vacancies in office.

(a)(1) The office or mayor or council-member shall become vacant upon the incumbent's death, resignation, forfeiture of office, or removal from office in any manner authorized by this charter or the general laws of the State of Georgia.

(2) Upon the suspension from office of mayor or council-member in any manner authorized by the general laws of the State of Georgia, the town council or those remaining shall appoint a successor for the duration of the suspension. If the suspension becomes permanent, then the office shall become vacant and shall be filled as provided in subsection (b) of this section.

(b) In the event that the office of mayor or council-member shall become vacant, the town council or those remaining shall order a special election to fill the balance of the unexpired term of such official; provided, however, if such vacancy occurs within six months of the expiration of the term of that office, the town council or those members remaining shall appoint a successor for the remainder of the term. In all other respects, the special election shall be held and conducted in accordance with Chapter 3 of Title 21 of the O.C.G.A., the "Georgia Municipal Election Code," as now or hereafter amended.

Section 2.13.

Nonpartisan elections.

Political parties shall not conduct primaries for town offices and all names of candidates for town offices shall be listed without party labels.

Section 2.14.

Election by majority.

The candidate receiving a majority of the votes cast for any town office shall be elected.

Section 2.15.

Compensation and expenses.

The mayor and council-members shall receive compensation and expenses for their services as provided by ordinance and in accordance with Chapter 35 of Title 36 of the O.C.G.A.

Section 2.16.

Prohibitions.

(a) No elected official, appointed officer, or employee of the town or any agency or political entity to which this charter applies shall knowingly:

(1) Engage in any business or transaction or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties or which would tend to impair the independence of his or her judgment or action in the performance of his or her official duties;

(2) Engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of his or her official duties or would tend to impair the independence of his or her judgment or action in the performance of his or her official duties;

(3) Disclose confidential information concerning the property, government, or affairs of the governmental body by which he or she is engaged without proper legal authorization or use such information to advance the financial or other private interest of himself or herself or others;

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

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

(6) Vote to otherwise participate in the negotiation or in the making of any contract with any business or entity in which he or she has a financial interest.

(b) Any elected official, appointed officer, or employee who has any private financial interest, direct or indirectly, in any contract or matter pending before or within any department of the town shall disclose such private interest to the town council. The mayor or any council-member who has a private interest in any matter pending before the town council shall disclose such private interest and such disclosure shall be entered on the records of the town council, and he or she shall disqualify himself or herself from participating in any decision or vote relating thereto. Any elected official, appointed officer, or employee of any agency or political entity to which this charter applies who shall have any private financial interest, directly or indirectly, in any contract or matter

pending before or within such entity shall disclose such private interest to the governing body of such agency or entity.

(c) No elected official, appointed officer, or employee of the town or any agency or entity to which this charter applies shall use property owned by such governmental entity for personal benefit, convenience, or profit, except in accordance with policies promulgated by the town council or the governing body of such agency or entity.

(d) Any violation of this section which occurs with the knowledge, express or implied, of a party to a contract or sale shall render said contract or sale voidable at the option of the town council.

(e) Except as authorized by law, no member of the council shall hold any other elective town office or other town employment during the term for which he or she was elected. The provisions of this subsection shall not apply to any person holding employment on or before the effective date of this Act.

Section 2.17.

Removal of officers.

(a) The mayor, a council-member, or other appointed officers provided for in this charter shall be removed from office or for any one more of the following causes:

(1) Incompetence, misfeasance, or malfeasance in office;

(2) Conviction of a crime involving moral turpitude;

(3) Failure at any time to possess any qualifications of office as provided by this charter or by law;

(4) Knowingly violating Section 2.16 or any other express prohibition of this charter;

(5) Abandonment of office or neglect to perform the duties thereof; or

(6) Failure for any other cause to perform the duties of office as required by this charter or by state law.

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

(1) By a majority vote of the mayor and council-members after an investigative hearing. In the event an elected officer is sought to be removed by the action of the town council, such officer shall be entitled to a written notice specifying the ground or grounds for removal and to a public hearing which shall be held not less than ten days after the service of such written notice. Any elected officer sought to be removed from office as provided in this section shall have the right of appeal from the decision of the town council to the Superior Court of Laurens County. Such appeal shall be governed by the same rules as govern appeals to the superior court from the probate court; or

(2) By an order of the Superior Court of Laurens County following a hearing on a complaint seeking such removal brought by any resident of the Town of Cadwell.

ARTICLE III

ORGANIZATION OF GOVERNMENT GENERAL AUTHORITY, AND ORDINANCES

Section 3.10.

General power and authority.

Except as otherwise provided by this charter, the town council shall be vested with all the powers of the government of this town as provided by Article I of this charter.

Section 3.11.

Organization.

(a) The town council shall hold an organizational meeting at the first regular meeting in January following an election. The meeting shall be called to order by the town clerk and the oath of the office shall be administered to the newly elected members as follows: "I do solemnly (swear) (affirm) that I will faithfully perform the duties of (mayor) (council-member) of this town and that I will support and defend the charter thereof as well as the Constitution and laws of the State of Georgia and the United States of America."

(b) By a majority vote, the town council shall elect a council-member to serve as mayor pro tempore. The mayor pro tempore shall preside at all meetings of the council and shall assume the duties and powers of the mayor during any disability or absence of the mayor. Any such disability or absence shall be declared by a majority vote of the town council. The town council shall by majority vote elect a presiding officer from its number for any period in which mayor pro tempore is disabled, absent, or acting as mayor. Such absence or disability shall be declared by majority vote of the town council.

Section 3.12.

Inquiries and investigations.

The town council may make inquiries and investigations into the affairs of the town and the conduct of any department, office, or agency thereof and for this purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Any person who fails or refuses to obey a lawful order issued in the exercise of these powers by the council shall be punished as provided by ordinance.

Section 3.13.

Meetings.

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

(b) Special meetings of the town council may be held on the call of the mayor or three members of the town council. Notice of such special meeting shall be served on all other members personally, or by telephone personally, at least 24 hours in advance of the meeting. Such notice to council-members shall not be required if the mayor and all council-members are present when the special meeting is called. Such notice of any special meeting may be waived by a council-member in writing before or after such a meeting and attendance at the meeting shall also constitute a waiver or notice on any business transacted in such council-member's presence. Only the business stated in the call may be transacted at the special meeting.

(c) All meetings of the town council shall be public to the extent required by law and notice to the public of special meetings shall be given as required by law.

Section 3.14.

Procedures.

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

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

Section 3.15.

Voting.

(a) Except as otherwise provided in subsection (b) of this section, the mayor and three council-members shall constitute a quorum and shall be authorized to transact the business of the town council. Voting on the adoption of ordinances shall be by the voice vote and the vote shall be recorded in the journal, but any member of the town council shall have the right to request a roll-call vote and such vote shall be recorded in the journal. Except as otherwise provided in this charter, the affirmative vote of three council-members shall be required for the adoption of any ordinance, resolution, or motion.

(b) In the event vacancies in office result in less than a quorum of council-members holding office, then the remaining council-members in office shall constitute a quorum and shall be authorized to transact business of the town council. A vote of a majority of the remaining council-members shall be required for the adoption of any ordinance, resolution, or motion.

Section 3.16.

Ordinances.

(a) Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain a subject which is not expressed in its title. The enacting clause shall be "The Council of the Town of Cadwell hereby ordains..." and every ordinance shall so begin.

(b) An ordinance may be introduced by any council-member and be read at a regular or special meeting of the town council. Ordinances shall be considered and adopted or rejected by the town council in accordance with the rules which it shall establish; provided, however, an ordinance shall not be adopted the same day it is introduced, except for emergency ordinances provided for in Section 3.18. Upon introduction of any ordinance, the clerk shall as soon as possible, distribute a copy to the mayor and to each council-member and shall file a reasonable number of copies in the office of the clerk and at such other public places as the town council may designate.

Section 3.17.

Effect of ordinances.

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

Section 3.18.

Emergencies.

To meet a public emergency affecting life, health, property, or public peace, the town council may convene on call of the mayor or two council-members and may promptly adopt an emergency ordinance, but such ordinance shall not levy taxes; grant, renew, or extend a franchise; regulate the rate charged by any public utility for its services; or authorize the borrowing of money except for loans to be repaid within 30 days. An emergency ordinance shall be introduced in the form prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause,

a declaration stating that an emergency exists and describing the emergency in clear and specific terms. An emergency ordinance may be adopted, with or without amendment, or rejected at the meeting at which it is introduced, but the affirmative vote of at least three council-members shall be required for adoption. It shall become effective upon adoption or at such later time as it may specify. Every emergency ordinance shall automatically stand repealed 30 days following the date upon which is was adopted, but this shall not prevent re-enactment of the ordinance in the manner specified in this section if the emergency continues to exist. An emergency ordinance shall also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

Section 3.19.

Codes.

(a) The town council may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such adopting ordinance shall be as prescribed for ordinances generally except that: (1) the requirements of subsection (b) of Section 3.16 of this charter for distribution and filing of copies of the ordinance shall be construed to include copies of any code of technical regulations, as well as the adopting ordinance; and (2) a copy of each adopted code of technical regulations, as well as the adopting ordinance, shall be authenticated and recorded by the clerk pursuant to Section 3.20 of this charter.

(b) Copies of any adopted code of technical regulations shall be made available by the clerk for distribution or for purchase at a reasonable price.

Section 3.20.

Codification of ordinances.

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

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

(c) The town council shall cause each ordinance and each amendment to this charter to be printed promptly following its adoption, and the printed ordinances and charter amendments shall be made available for purchase by the public at reasonable prices to be fixed by the town council. Following publication of the first code under this charter and at all times thereafter, the ordinances and charter amendments shall be printed in substantially the same style as the code then in effect and shall be suitable in form for incorporation within the code. The town council shall make such further arrangements as deemed desirable with reproduction and distribution of any changes in or additions to codes of technical regulations and other rules and regulations included in the code.

Section 3.21.

Chief executive officer; delegation of powers.

The mayor shall be the chief executive of this town. The mayor shall possess all of the executive and administrative powers granted to the town under the Constitution and laws of the State of Georgia, and all the executive and administrative powers contained in this charter, except as otherwise specifically provided in this Act. The mayor shall have the authority to delegate any one or more executive or administrative powers to a person or persons employed by the town and qualified in management and administration.

Section 3.22.

Powers and duties of mayor.

As the chief executive of this town, the mayor shall:

(1) See that all laws and ordinances of the town are faithfully executed;

(2) Appoint and remove, for cause, with confirmation of appointment or removal by the council, all officers, department heads, and employees of the town except as otherwise provided in this charter;

(3) Exercise supervision over all executive and administrative work of the town and provide for the coordination of administrative activities;

(4) Prepare and submit to the council a recommended annual operating budget and recommended capital budget;

(5) Submit to the council at least once a year a statement covering the financial conditions of the town and from time to time such other information as the town council may request;

(6) Preside over all meetings of the town council;

(7) Call special meetings of the town council as provided for in Section 3.13;

(8) Participate in the discussion of all matters brought before the town council and vote on such matters only in the case of a tie vote, except that the mayor may vote in all elections for officers who are elected by the town council and impeachment or removal proceedings whether there is a tie or not;

(9) Recommend to the town council such measures relative to the affairs of the town, improvement of the government, and promotion of the welfare of its inhabitants as he or she may deem expedient;

(10) Approve or disapprove ordinances as provided in Section 3.23;

(11) Require any department or agency of the town to submit written reports whenever he or she deems it expedient;

(12) Sign as a matter of course all written contracts, ordinances, and other instruments executed by the town which by law are required to be in writing, except deeds made for property sold under execution at public sale which shall be signed by the chief of police of the town; and

(13) Perform such other duties as may be required by general state law, this charter, or ordinance.

Section 3.23.

Submission of ordinances to the mayor; veto power.

(a) Every ordinance adopted by the town council shall be presented by the town clerk to the mayor within three days after its adoption.

(b) The mayor shall within three days of receipt of an ordinance return it to the town clerk with or without his or her approval, or with his or her disapproval. If the ordinance has been approved by the mayor, it shall become law upon its return to the town clerk; if the ordinance is neither approved or disapproved, it shall become law on the tenth day after its adoption; if the ordinance is disapproved, the mayor shall submit to the town council through the town clerk a written statement of the reasons for the veto. The town clerk shall record upon the ordinance the date of its delivery to and receipt from the mayor.

(c) Ordinances vetoed by the mayor shall be presented by the town clerk to the town council at its next meeting and should the town council then or at its next general meeting adopt the ordinance by an affirmative vote of the entire council, it shall become law.

(d) The mayor may disapprove or reduce any item or items of appropriation in any ordinance. The approved part or parts of any ordinance making appropriations shall become law, and the part or parts disapproved shall not become law unless subsequently passed by the town council over the mayor's veto as provided in this section. The reduced

part or parts shall be presented to the town council as though disapproved and shall not become law unless overridden by the council as provided in subsection (c) of this section.

ARTICLE IV

ADMINISTRATIVE AFFAIRS

Section 4.10.

Department heads.

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

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

(c) All appointed officers and directors of departments shall receive such compensation as prescribed by ordinance.

(d) There shall be a director of each department or agency who shall be its principal officer. Each director shall, subject to the direction and supervision of the mayor, be responsible for the administration and direction of the affairs and operations of his or her department or agency.

(e) All directors under the supervision of the mayor shall be nominated by the mayor with confirmation of appointment by the town council. The mayor may suspend or remove directors under his or her supervision but such suspension or removal shall not be effective for ten calendar days following the mayor's giving written notice of such action and the reason therefor to the director involved and to the town council; provided, however, that in the event the mayor determines that the director presents an imminent danger to other town personnel or the general public, the mayor may suspend such director immediately, with or without compensation at the discretion of the mayor, pending an investigation. The director involved may appeal to the town council which, after a hearing, may override the mayor's action by a vote of three council-members.

Section. 4.11.

Boards.

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

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

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

(d) Except as otherwise provided by charter or by law, not member of any board, commission, or authority shall hold any elective office in the town.

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

(f) No member of a board, commission or authority shall assume office until he or she has executed and filed with the clerk of the town an oath obligating himself or herself to perform faithfully and impartially the duties of his or her office, such oath to be prescribed by ordinance and administered by the mayor.

(g) Any member of a board, commission, or authority may be removed from office for cause by a majority vote of the mayor and council-members.

(h) Except as otherwise provided by this charter or by law, each board, commission, or authority of the town shall elect one of its members as chairman and one member as vice-chairman, and may elect as its secretary one of its members or may appoint as secretary an employee of the town. Each board, commission, or authority of the town government may establish such bylaws, rules, and regulations, not inconsistent, with this charter, an ordinance of the town, or law, as it deems appropriate and necessary for the fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules, and regulations shall be filed with the clerk of the town.

Section 4.12.

Town attorney.

The town council shall appoint a town attorney who shall be a member of the State Bar of Georgia and shall have actively practiced law for at least one year. The town attorney shall serve at the pleasure of the town council. The town attorney shall be responsible for representing and defending the town in all litigation in which the town is a party, may be the prosecuting officer in the municipal court, shall attend the meetings of the council as directed, shall advise the town council, mayor, and other officers and employees of the town concerning legal aspects of the town's affairs, and shall perform such other duties as may be required of him or her by virtue of his or her position as town attorney. The town council shall provide for the compensation of the town attorney.

Section 4.13.

Town clerk.

The town council shall appoint a town clerk who shall not be a council-member. The town clerk shall be custodian of the official town seal, maintain town council records required by this charter, and perform such other duties as may be required by the town council. The town council shall provide for the compensation of the town clerk.

Section 4.14.

Treasurer.

The town council shall appoint a town treasurer to collect all taxes, licenses, fees, and other moneys belonging to the town subject to the provisions of this charter and the ordinances of the town and to enforce all laws of Georgia relating to the collection of delinquent taxes and sale or foreclosure for nonpayment of taxes to the town. The town treasurer shall also be responsible for the general duties of a treasurer and fiscal officer. The town council shall provide for compensation of the town treasurer.

Section 4.15.

Consolidation of offices of town clerk and treasurer.

The town council shall have the power to combine the office of town clerk and town treasurer or may, in its discretion, elect one person to fill both offices.

Section 4.16.

Rules and regulations.

The town council shall adopt rules and regulations consistent with this charter concerning:

(1) The method of employee selection and probationary periods of employment;

(2) The administration of a position classification and pay plan, methods of promotion and applications of service ratings thereto, and transfer of employees within the classification plan;

(3) Hours of work, vacation, sick leave, and other leaves of absence, overtime pay, and the order and manner in which layoffs shall be effected;

(4) Such dismissal hearings as due process may require; and

(5) Such other personnel notices as may be necessary to provide for adequate and systematic handling of personnel affairs.

Section 4.17.

Current town officials.

All appointed officers, directors, and other officials currently in office on the effective date of the adoption of this charter shall continue to serve for the remainder of their terms and until their successors are appointed and qualified.

ARTICLE V

JUDICIAL BRANCH

Section 5.10.

Municipal court.

There shall be a court to be known as the Municipal Court of the Town of Cadwell.

Section 5.11.

Judges.

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

(b) No person shall be qualified or eligible to serve as a judge on the municipal court unless he or she shall have attained the age of 21 years and shall be a member of the State Bar of Georgia. All judges shall be appointed by the town council.

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

(d) Judges may be removed for cause by a majority vote of the mayor and council-members.

(e) Before assuming office, each judge shall take an oath, given by the mayor, that he or she will honestly and faithfully discharge the duties of his or her office to the best of his or her ability and without fear, favor, or partiality. The oath shall be entered upon the minutes of the town council journal required in Section 3.14 of this charter.

Section 5.12.

Convening of court.

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

Section 5.13.

Powers.

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

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

(c) The municipal court may fix punishment for offenses within its jurisdiction not exceeding a fine of $500.00 or imprisonment for 90 days or both such fine and imprisonment or may fix punishment by such greater fines, imprisonment, or alternative sentencing as now or hereafter provided by general law.

(d) The municipal court shall have the authority to establish a schedule of fees to defray the cost of operation and shall be entitled to reimbursement for the actual cost of meals, transportation, and care taking of prisoners bound over to superior courts for violation of state law.

(e) The municipal court shall have authority to establish bail and recognizance to ensure the presence of those charged with violations before said court and shall have discretionary authority to accept cash or personal or real property as surety bond for the appearance of persons charged with violations. Whenever any person shall give bail for his or her appearance and shall fail to appear at the time fixed for trial, his or her bond shall be forfeited by the judge presiding at such time and an execution shall be issued thereon by serving the defendant and his or her sureties with a rule nisi at least two days before a hearing on the rule nisi.

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

(g) The municipal court shall have the authority to bind prisoners over to the appropriate court when it appears by probable cause that state law has been violated.

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

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

(j) The municipal court is specifically vested with all the jurisdiction and powers throughout the geographic area of this town granted by law to municipal courts and particularly by such laws to authorize the abatement of nuisances and prosecution of traffic violations.

Section 5.14.

Certiorari.

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

Section 5.15.

Rules.

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

ARTICLE VI

FINANCE

Section 6.10.

Property tax.

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

Section 6.11.

Millage.

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

Section 6.12.

Occupation taxes and business license fees.

The town council by ordinance shall have the power to levy such occupation or business taxes as are allowed by law. Such taxes may be levied on both individuals and corporations who transact business in this town or who practice or offer to practice any profession or calling within the town to the extent such persons have a constitutionally sufficient nexus to this town to be taxed. The town council may classify businesses, occupations, professions, or callings for the purpose of such taxation in any way which may be lawful and may compel the payment of such taxes as provided in Section 6.18 of this charter.

Section 6.13.

Licenses.

The town council by ordinance shall have the power to require any individual or corporation who transacts business in this town or who practices or offers to practice any profession or calling within the town to obtain a license or permit for such activity from the town and pay

a reasonable fee for such license or permit where such activities are not now regulated by general law in such a way as to preclude town regulations. Such fees may reflect the total cost to the town of regulating the activity and, if unpaid, shall be collected as provided in Section 6.18 of this charter. The town council by ordinance may establish reasonable requirements for obtaining or keeping such licenses as the public health, safety, and welfare necessitate.

Section 6.14.

Franchises.

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

Section 6.15.

Sewer fees.

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

Section 6.16.

Roads.

The town council by ordinance shall have the power to assess, charge, and collect the costs of constructing, reconstructing, widening, or improving any public way, street, sidewalk, curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property

owners under such terms and conditions as are reasonable. If unpaid, such charges shall be collected as provided in Section 6.18 of this charter.

Section 6.17.

Other taxes.

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

Section 6.18.

Collection of delinquent taxes.

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

Section 6.19.

Borrowing.

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

Section 6.20.

Revenue bonds.

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

Section 6.21.

Loans.

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

Section 6.22.

Accounting and budgeting.

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

Section 6.23.

Budget ordinance.

The town council shall provide an ordinance on the procedures and requirements for the preparation and execution of an annual operating budget, a capital improvement program, and a capital budget, including requirements as to the scope, content, and form of such budgets and programs.

Section 6.24.

Operating budget.

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

Section 6.25.

Adoption.

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

(b) The town council shall adopt the final operating budget for the ensuing fiscal year not later than September 30 of each year. If the town council fails to adopt the budget by said date, the amounts appropriated for operation for the then current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items prorated accordingly, until such time as the town council adopts a budget for the ensuing fiscal year. Adoption of the budget shall take the form of an appropriations ordinance setting out the estimated revenues in detail by sources and making appropriation according to fund and by organizational unit, purpose, or activity as set out in the budget preparation ordinance adopted pursuant to Section 6.23 of this charter.

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

Section 6.26.

Levy of taxes.

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

Section 6.27.

Changes in budget.

The town council by majority vote may make changes in the appropriations contained in the current operating budget at any regular meeting or special or emergency meeting called for such purposes.

Section 6.28.

Capital improvements.

(a) On or before the date fixed by the town council, but not later than 60 days prior to the beginning of each fiscal year, the mayor shall submit to the town council a proposed capital improvements budget with his or her recommendations as to the means of financing the improvements proposed for the ensuing year. The town council shall have the power to accept, with or without amendments, or reject the proposed program and proposed means of financing. The town council shall not authorize an expenditure for the construction of any building, structure, work, or improvement, unless the appropriations for such project are included in the capital improvements budget, except to meet a public emergency as provided in Section 3.17 of this charter.

(b) The town council shall adopt by ordinance the final capital improvements budget for the ensuing fiscal year not later than September 30 of each year. No appropriations provided for in a prior capital improvements budget shall lapse until the purpose for which the appropriations were made shall have been accomplished or abandoned; provided, however, the mayor may submit amendments to the capital improvements budget at any time during the fiscal year, accompanied by his or her recommendations. Any such amendments to the capital improvements budget shall become effective only upon adoption by majority vote of the town council.

Section 6.29.

Audits.

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

Section 6.30.

Procurement and property management.

No contract with the town except contracts with the state Department of Transportation or road improvement contracts shall be binding on the town unless:

(1) It is in writing;

(2) It is drawn or submitted and reviewed by the town attorney and, as a matter of course, is signed by him or her to indicate such drafting or review; and

(3) It is made or authorized by the town council and such approval is entered in the town council journal of proceedings pursuant to Section 3.14 of this charter.

Section 6.31.

Purchasing.

The town council shall be ordinance prescribe procedures for a system of centralized purchasing for the town.

Section 6.32.

Sale of property.

(a) The town council may sell and convey any real or personal property owned or held by the town for governmental or other purposes as now or hereafter provided by law.

(b) The town council may quitclaim any rights it may have in property not needed for public purposes upon request by the mayor and adoption of a resolution, both finding that the property is not needed for public or other purposes and that the interest of the town has no readily ascertainable monetary value.

(c) Whenever in opening, extending, or widening any street, avenue, alley, or public place of the town a small parcel or tract of land is cut off or separated by such work from a larger tract or boundary of land owned by the town, the town council may authorize the mayor to execute and deliver in the name of the town a deed conveying said cut-off or separated parcel or tract of land to an abutting or adjoining property owner or owners in exchange for rights of way of said street, avenue, alley, or public place when such exchange is deemed to be in the best interest of the town. All deeds and conveyances heretofore and hereafter so executed and delivered shall convey all title and interest the town has in such property, notwithstanding the fact that no public sale after advertisement was or is hereafter made.

ARTICLE VII

GENERAL PROVISIONS

Section 7.10.

Bonds for officials.

The officers and employees of this town, both elected and appointed, shall execute such surety or fidelity bonds in such amounts and upon such terms and conditions as the town council shall from time to time require by ordinance or as may be provided by law.

Section 7.11.

Rules and regulations.

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

Section 7.12.

Charter language on other general matters.

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

Section 7.13.

Definitions and construction.

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

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

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

Section 7.14.

Specific repealer.

An Act incorporating the Town of Cadwell and granting a charter to said town, approved August 19, 1912, as amended, particularly by an Act approved August 12, 1914 (Ga. L. 1914, p. 499), is repealed in its entirety.

Section 7.15.

General repealer.

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