

House Bill 544 (AS PASSED HOUSE AND SENATE)

By: Representatives Parent of the 81st, Henson of the 87th, and Holcomb of the 82nd

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to reincorporate the City of Doraville in the County of DeKalb, approved
2 October 13, 1971 (Ga. L. 1971 Ex. Sess., p. 2154), as amended, so as to provide that the
3 office of mayor shall be a part-time position; to provide for a transition; to provide for a city
4 manager and duties of such city manager; to provide for the calculation of qualifying fees;
5 to provide for related matters; to provide for a referendum; to provide for an effective date
6 and contingent repeal; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act to reincorporate the City of Doraville in the County of DeKalb, approved
10 October 13, 1971 (Ga. L. 1971 Ex. Sess., p. 2154), as amended, is amended by revising
11 Section 2.03 as follows:

12 "Section 2.03. Mayor as Presiding Officer. (a) Be it further enacted, that the Mayor shall
13 preside at meetings of the Council; shall have a vote only in the case of a tie vote by
14 Councilmembers, but shall not have veto power; shall be the ceremonial head of the City;
15 shall sign ordinances and resolutions on their final passage; may obtain short-term loans
16 in the name of the City when authorized by the Council to do so; shall sign deeds, bonds,
17 and contracts when authorized by the Council to do so; and shall perform such other duties
18 imposed by this Charter and duly adopted ordinances.

19 (b)(1) For the four-year term of office beginning January 1, 2012, the office of Mayor
20 shall be a full-time position for the first two years of such term of office until
21 December 31, 2013. From January 1, 2014, through the end of such term of office, the
22 office of Mayor shall be a part-time position. Thereafter, the office of Mayor shall be a
23 part-time position.

24 (2) The qualifying fee for the term of office of Mayor beginning January 1, 2012, shall
25 be paid pursuant to Code Section 21-2-131 of the O.C.G.A. for a full-time position. The
26 qualifying fee for the term of office of Mayor beginning January 1, 2016, shall be

27 calculated on the basis of a part-time position in accordance with Code Section 21-2-131
28 of the O.C.G.A."

29 **SECTION 2.**

30 Said Act is further amended by adding a new section to read as follows:

31 "Section 2.07A. City Manager. The city shall be authorized to employ a City Manager
32 whose compensation shall be established by the Council and whose duties and
33 responsibilities shall be prescribed by the Council. The City Manager shall be generally
34 in charge of the day-to-day operations of the City."

35 **SECTION 3.**

36 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
37 superintendent of the City of Doraville shall call and conduct an election as provided in this
38 section for the purpose of submitting this Act to the electors of the City of Doraville for
39 approval or rejection. The election superintendent shall conduct that election on the Tuesday
40 after the first Monday in November, 2011, and shall issue the call and conduct that election
41 as provided by general law. The election superintendent shall cause the date and purpose of
42 the election to be published once a week for two weeks immediately preceding the date
43 thereof in the official organ of DeKalb County. The ballot shall have written or printed
44 thereon the words:

45 **"BINDING REFERENDUM**

46 () YES Shall the Act be approved which changes the government of the City of
47 () NO Doraville to a city manager form of government with a part-time mayor and
48 a full-time city manager?"

49 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
50 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
51 such question are for approval of the Act, Sections 1 and 2 of this Act shall become of full
52 force and effect immediately. If the Act is not so approved or if the election is not conducted
53 as provided in this section, Sections 1 and 2 of this Act shall not become effective, and this
54 Act shall be automatically repealed on the first day of January immediately following that
55 election date. The expense of such election shall be borne by the City of Doraville. It shall
56 be the election superintendent's duty to certify the result thereof to the Secretary of State.

57 **SECTION 4.**

58 Except as otherwise provided in Section 3 of this Act, this Act shall become effective upon
59 its approval by the Governor or upon its becoming law without such approval.

60

SECTION 5.

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