

House Bill 579 (AS PASSED HOUSE AND SENATE)

By: Representatives Marin of the 96th and Rice of the 51st

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a new charter for the City of Norcross, Georgia, approved March
2 28, 1990 (Ga. L. 1990, p. 4934), as amended, particularly by an Act approved April 13, 2001
3 (Ga. L. 2001, p. 3729), so as to change the corporate limits of the City of Norcross; to
4 provide for a referendum; to provide for preclearance under the federal Voting Rights Act
5 of 1965; to provide for effective dates and automatic repeal; to repeal conflicting laws; and
6 for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act creating a new charter for the City of Norcross, Georgia, approved March 28, 1990
10 (Ga. L. 1990, p. 4934), as amended, particularly by an Act approved April 13, 2001 (Ga. L.
11 2001, p. 3729), is amended by adding at the end of Section 1.12 a new subsection (h) to read
12 as follows:

13 "(h) In addition to all other territory included within the corporate limits of said city, the
14 corporate limits shall specifically include the following described property, all of which is
15 located in Gwinnett County, Georgia:

16 All that tract or parcel of land laying and being in land lots 214, 215, 216, 224, and 225
17 of the 6th Land District of Gwinnett County, Georgia, which tract is more particularly
18 described as follows.

19 Beginning at a point located at the intersection of the westerly right-of-way of Jimmy
20 Carter Boulevard and the southerly right-of-way of Interstate 85, said point being the
21 POINT OF BEGINNING; Thence in a northwesterly direction along the westerly
22 right-of-way line of Jimmy Carter Boulevard to point at the intersection of said
23 right-of-way and the eastern most property corner of 5900 Jimmy Carter Boulevard;
24 Thence leaving said westerly right-of-way in northeasterly direction to a point at the
25 intersection of the easterly right-of-way line of Jimmy Carter Boulevard and the
26 Existing City of Norcross, Georgia City Limits Line; Thence in a northeasterly

27 direction along the Existing City of Norcross, Georgia City Limits Line to a point;
28 Thence in a northwesterly direction along the Existing City of Norcross, Georgia City
29 Limits Line to a point; Thence in a southwesterly direction along the Existing City of
30 Norcross, Georgia City Limits Line to a point; Thence in a northwesterly direction
31 along the Existing City of Norcross, Georgia City Limits Line to a point; Thence in a
32 northeasterly direction along the Existing City of Norcross, Georgia City Limits Line
33 to a point; Thence in a northwesterly direction along the Existing City of Norcross,
34 Georgia City Limits Line to a point; Thence in a northerly direction along the Existing
35 City of Norcross, Georgia City Limits Line to a point; Thence in a northeasterly
36 direction along the Existing City of Norcross, Georgia City Limits Line to a point;
37 Thence in a northwesterly direction along the Existing City of Norcross, Georgia City
38 Limits Line to a point; Thence in a westerly direction along the Existing City of
39 Norcross, Georgia City Limits Line to a point; Thence in a northwesterly direction
40 along the Existing City of Norcross, Georgia City Limits Line to a point; Thence in a
41 easterly direction along the Existing City of Norcross, Georgia City Limits Line to a
42 point; Thence in a northeasterly direction along the Existing City of Norcross, Georgia
43 City Limits Line to a point; Thence in a southeasterly direction along the Existing City
44 of Norcross, Georgia City Limits Line to a point; Thence in a easterly direction along
45 the Existing City of Norcross, Georgia City Limits Line to a point; Thence in a
46 northwesterly direction along the Existing City of Norcross, Georgia City Limits Line
47 to a point; Thence in a easterly direction along the Existing City of Norcross, Georgia
48 City Limits Line to a point; Thence in a northwesterly direction along the Existing City
49 of Norcross, Georgia City Limits Line to a point; Thence in a northeasterly direction
50 along the Existing City of Norcross, Georgia City Limits Line to a point; Thence in a
51 southeasterly direction along the Existing City of Norcross, Georgia City Limits Line
52 to a point; Thence in a easterly direction along the Existing City of Norcross, Georgia
53 City Limits Line to a point; Thence in a southeasterly direction along the Existing City
54 of Norcross, Georgia City Limits Line to a point; Thence in a southwesterly direction
55 along the Existing City of Norcross, Georgia City Limits Line to a point; Thence in a
56 westerly direction along the Existing City of Norcross, Georgia City Limits Line to a
57 point; Thence in a southeasterly direction along the Existing City of Norcross, Georgia
58 City Limits Line to a point; Thence in a northeasterly direction along the Existing City
59 of Norcross, Georgia City Limits Line to a point; Thence in a southeasterly direction
60 along the Existing City of Norcross, Georgia City Limits Line to a point; Thence in a
61 southeasterly direction to the intersection of the southerly right-of-way of Interstate 85
62 and the Existing City of Norcross, Georgia City Limits Line to a point; Thence in a

63 southwesterly direction and Departing from the Existing City of Norcross, Georgia City
64 Limits along the southerly right-of-way of Interstate 85 to the Point of Beginning.

65 **SECTION 2.**

66 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
67 superintendent of Gwinnett County shall call and conduct an election as provided in this
68 section for the purpose of submitting this Act to the electors of the territory sought to be
69 annexed into the City of Norcross under this Act for approval or rejection. The election
70 superintendent shall conduct that election on the Tuesday after the first Monday in November
71 in 2011 and shall issue the call and conduct that election as provided by general law. The
72 election superintendent shall cause the date and purpose of the election to be published once
73 a week for two weeks immediately preceding the date thereof in the official organ of
74 Gwinnett County. The ballot shall have written or printed thereon the words:

75 "() YES Shall the Act be approved which annexes certain land into the City of
76 () NO Norcross?"

77 All persons desiring to vote for approval of the annexation shall vote "Yes," and all persons
78 desiring to vote for rejection of the annexation shall vote "No." If more than one-half of the
79 votes cast on such question are for approval of the annexation, then this Act shall become
80 effective on January 1, 2012. If more than one-half of the votes cast on such question are for
81 rejection of the annexation, this Act shall not become effective and shall be automatically
82 repealed on the first day of January immediately following that election date. The expense
83 of such election shall be borne by the City of Norcross. It shall be the election
84 superintendent's duty to certify the result thereof to the Secretary of State.

85 **SECTION 3.**

86 The governing authority of the City of Norcross shall, through its legal counsel, cause this
87 Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as
88 amended; and such submission shall be made to the United States Department of Justice or
89 filed with the appropriate court no later than 45 days after the date on which this Act is
90 approved by the Governor or otherwise becomes law without such approval.

91 **SECTION 4.**

92 Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon
93 its approval by the Governor or otherwise becomes law without such approval.

94 **SECTION 5.**

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