

House Bill 1291

By: Representatives Wilkinson of the 52nd, Geisinger of the 48th, Lindsey of the 54th, and Willard of the 49th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for a new charter for the City of Sandy Springs in Fulton County,
2 approved April 15, 2005 (Ga. L. 2005 p. 3515), so as to modify provisions relating to the
3 City of Sandy Springs and the executive and judicial officials of such city; to provide for
4 related matters; to provide for an effective date; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act providing for a new charter for the City of Sandy Springs in Fulton County, approved
9 April 15, 2005 (Ga. L. 2005 p. 3515), is amended as follows:

10 "ARTICLE I
11 CREATION, INCORPORATION, POWERS

12 **SECTION 1.01.**

13 Incorporation.

14 This Act shall constitute the charter of the City of Sandy Springs, Georgia. The City of
15 Sandy Springs, Georgia, in the County of Fulton, and the inhabitants thereof, are constituted
16 and declared a body politic and corporate under the same name and style of the 'City of
17 Sandy Springs' and by that name shall have perpetual succession, may sue and be sued, plead
18 and be impleaded, in all courts of law and equity, and in all actions whatsoever, and may
19 have and use a common seal.

20 **SECTION 1.02.**

21 Corporate boundaries.

22 The boundaries of the City of Sandy Springs shall be as set forth and described in Appendix
 23 A of this charter, and said Appendix A is incorporated into and made a part of this charter.
 24 The city manager shall maintain a current map and written legal description of the corporate
 25 boundaries of the city, and such map and description shall incorporate any changes which
 26 may hereafter be made in such corporate boundaries.

27 **SECTION 1.03.**

28 Powers and construction.

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

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

36 (1) Animal regulations. To regulate and license or to prohibit the keeping or running
 37 at-large of animals and fowl, and to provide for the impoundment of same if in violation
 38 of any ordinance or lawful order; to provide for the disposition by sale, gift, or humane
 39 destruction of animals and fowl when not redeemed as provided by ordinance; and to
 40 provide punishment for violation of ordinances enacted hereunder;

41 (2) Appropriations and expenditures. To make appropriations for the support of the
 42 government of the city; to authorize the expenditure of money for any purposes
 43 authorized by this charter and for any purpose for which a municipality is authorized by
 44 the laws of the State of Georgia; and to provide for the payment of expenses of the city;

45 (3) Building regulation. To regulate and to license the erection and construction of
 46 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas,
 47 and heating and air conditioning codes; and to regulate all housing, and building trades
 48 to the extent permitted by general law;

49 (4) Business regulation and taxation. To levy and to provide for the collection of
 50 regulatory fees and taxes on privileges, occupations, trades and professions as authorized
 51 by Title 48 of the O.C.G.A., or other such applicable laws as are or may hereafter be
 52 enacted; to permit and regulate the same; to provide for the manner and method of

53 payment of such regulatory fees and taxes; and to revoke such permits after due process
54 for failure to pay any city taxes or fees;

55 (5) Condemnation. To condemn property, inside or outside the corporate limits of the
56 city, for present or future use and for any corporate purpose deemed necessary by the city
57 council, utilizing procedures enumerated in Title 22 of the O.C.G.A., or such other
58 applicable laws as are or may hereafter be enacted;

59 (6) Contracts. To enter into contracts and agreements with other governmental entities
60 and with private persons, firms and corporations;

61 (7) Emergencies. To establish procedures for determining and proclaiming that an
62 emergency situation exists within or without the city, and to make and carry out all
63 reasonable provisions deemed necessary to deal with or meet such an emergency for the
64 protection, safety, health or well-being of the citizens of the city;

65 (8) Environmental protection. To protect and preserve the natural resources,
66 environment and vital areas of the city, the region, and the state through the preservation
67 and improvement of air quality, the restoration and maintenance of water resources, the
68 control of erosion and sedimentation, the management of stormwater and establishment
69 of a stormwater utility, the management of solid and hazardous waste, and other
70 necessary actions for the protection of the environment;

71 (9) Ethics. To adopt ethics ordinances and regulations governing the conduct of
72 municipal elected officials, appointed officials, and employees, establishing procedures
73 for ethics complaints and setting forth penalties for violations of such rules and
74 procedures;

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

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

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

- 89 (13) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for
90 any purpose related to powers and duties of the city and the general welfare of its
91 citizens, on such terms and conditions as the donor or grantor may impose;
- 92 (14) Health and sanitation. To prescribe standards of health and sanitation and to
93 provide for the enforcement of such standards;
- 94 (15) Jail sentences. To provide that persons given jail sentences in the city's court may
95 work out such sentences in any public works or on the streets, roads, drains, and other
96 public property in the city, to provide for commitment of such persons to any jail, to
97 provide for the use of pretrial diversion and any alternative sentencing allowed by law,
98 or to provide for commitment of such persons to any county work camp or county jail by
99 agreement with the appropriate county officials;
- 100 (16) Motor vehicles. To regulate the operation of motor vehicles and exercise control
101 over all traffic, including parking upon or across the streets, roads, alleys, and walkways
102 of the city;
- 103 (17) Municipal agencies and delegation of power. To create, alter, or abolish
104 departments, boards, offices, commissions, and agencies of the city, and to confer upon
105 such agencies the necessary and appropriate authority for carrying out all the powers
106 conferred upon or delegated to the same;
- 107 (18) Municipal debts. To appropriate and borrow money for the payment of debts of the
108 city and to issue bonds for the purpose of raising revenue to carry out any project,
109 program, or venture authorized by this charter or the laws of the State of Georgia;
- 110 (19) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or
111 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or
112 outside the property limits of the city;
- 113 (20) Municipal property protection. To provide for the preservation and protection of
114 property and equipment of the city and the administration and use of same by the public;
115 and to prescribe penalties and punishment for violations thereof;
- 116 (21) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose
117 of public utilities, including but not limited to a system of waterworks, sewers and drains,
118 sewage disposal, stormwater management, gas works, electric light plants, cable
119 television and other telecommunications, transportation facilities, public airports, and any
120 other public utility; to fix the taxes, charges, rates, fares, fees, assessments, regulations,
121 and penalties; and to provide for the withdrawal of service for refusal or failure to pay the
122 same;
- 123 (22) Nuisance. To define a nuisance and provide for its abatement whether on public or
124 private property;

- 125 (23) Penalties. To provide penalties for violation of any ordinances adopted pursuant to
126 the authority of this charter and the laws of the State of Georgia;
- 127 (24) Planning and zoning. To provide comprehensive city planning for development by
128 zoning; and to provide subdivision regulation and the like as the city council deems
129 necessary and reasonable to insure a safe, healthy, and aesthetically pleasing community;
- 130 (25) Police and fire protection. To exercise the power of arrest through duly appointed
131 police officers, and to establish, operate, or contract for a police and a fire-fighting
132 agency;
- 133 (26) Public hazards: removal. To provide for the destruction and removal of any
134 building or other structure which is or may become dangerous or detrimental to the
135 public;
- 136 (27) Public improvements. To provide for the acquisition, construction, building,
137 operation, and maintenance of public ways, parks and playgrounds, recreational facilities,
138 cemeteries, public buildings, libraries, public housing, parking facilities, or charitable,
139 cultural, educational, recreational, conservation, sport, detentional, penal, and medical
140 institutions, agencies, and facilities; and to provide any other public improvements, inside
141 or outside the corporate limits of the city and to regulate the use of public improvements;
142 and for such purposes, property may be acquired by condemnation under Title 22 of the
143 O.C.G.A., or such other applicable laws as are or may hereafter be enacted;
- 144 (28) Public peace. To provide for the prevention and punishment of loitering, disorderly
145 conduct, drunkenness, riots, and public disturbances;
- 146 (29) Public transportation. To organize and operate such public transportation systems
147 as are deemed beneficial;
- 148 (30) Public utilities and services. To grant franchises or make contracts for, or impose
149 taxes on, public utilities and public service companies; and to prescribe the rates, fares,
150 regulations, and standards and conditions of service applicable to the service to be
151 provided by the franchise grantee or contractor, insofar as not in conflict with valid
152 regulations of the Public Service Commission;
- 153 (31) Regulation of roadside areas. To prohibit or regulate and control the erection,
154 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any
155 and all other structures or obstructions upon or adjacent to the rights of way of streets and
156 roads or within view thereof, within or abutting the corporate limits of the city; and to
157 prescribe penalties and punishment for violation of such ordinances;
- 158 (32) Retirement. To provide and maintain a retirement plan for officers and employees
159 of the city;
- 160 (33) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade
161 of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise

162 improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and
 163 walkways within the corporate limits of the city; to grant franchises and rights of way
 164 throughout the streets and roads and over the bridges and viaducts for the use of public
 165 utilities; and to require real estate owners to repair and maintain in a safe condition the
 166 sidewalks adjoining their lots or lands and to impose penalties for failure to do so;

167 (34) Sewer and water fees. To levy a fee, charge, or sewer tax as necessary to assure the
 168 acquiring, constructing, equipping, operating, maintaining, and extending of a sewage
 169 disposal plant and sewerage system, and to levy on those to whom sewers and sewerage
 170 systems are made available a sewer service fee, charge, or sewer tax for the availability
 171 or use of the sewers; to provide for the manner and method of collecting such service
 172 charges and for enforcing payment of the same; and to charge, impose, and collect a
 173 sewer connection fee or fees to those connected with the system;

174 (35) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish,
 175 and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by
 176 others; and to provide for the separate collection of glass, tin, aluminum, cardboard,
 177 paper, and other recyclable materials and to provide for the sale of such items;

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

180 (37) Taxes: ad valorem. To levy and provide for the assessment, valuation, revaluation,
 181 and collection of taxes on all property subject to taxation; provided, however, that:

182 (A) For all years, the millage rate imposed for ad valorem taxes on real property shall
 183 not exceed 4.731 unless a higher limit is recommended by resolution of the city council
 184 and approved by the qualified voters of the City of Sandy Springs;

185 (B) For all years, the fair market value of all property subject to taxation shall be
 186 determined according to the tax digest of Fulton County, as provided in Code Section
 187 48-5-352 of the O.C.G.A.; and

188 (C) For all years, the billing date or dates and due date or due dates for municipal ad
 189 valorem taxes shall be the same as for Fulton County ad valorem taxes;

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

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

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

197 (41) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,
 198 and immunities necessary or desirable to promote or protect the safety, health, peace,

199 security, good order, comfort, convenience, or general welfare of the city and its
 200 inhabitants; to exercise all implied powers necessary or desirable to carry into execution
 201 all powers granted in this charter as fully and completely as if such powers were fully
 202 stated herein; and to exercise all powers now or in the future authorized to be exercised
 203 by other municipal governments under other laws of the State of Georgia; and any listing
 204 of particular powers in this charter shall not be held to be exclusive of others or restrictive
 205 of general words and phrases granting powers, but shall be held to be in addition to such
 206 powers unless expressly prohibited to municipalities under the Constitution or applicable
 207 laws of the State of Georgia.

208 **SECTION 1.04.**

209 Exercise of powers.

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

214 **ARTICLE II**

215 **GOVERNMENT STRUCTURE, ELECTIONS**
 216 **AND LEGISLATIVE BRANCH**

217 **SECTION 2.01.**

218 City council creation; number; election.

219 (a) The legislative authority of the government of Sandy Springs, except as otherwise
 220 specifically provided in this Act, shall be vested in the mayor and a city council to be
 221 composed of six city councilmembers. References in this Act to the terms 'councilmember'
 222 shall not include the mayor.

223 (b) The mayor shall be elected by a majority vote of the qualified electors of the city at large
 224 voting at the elections of the city.

225 (c) Each city councilmember shall be elected by a majority vote of the qualified electors of
 226 his or her respective city council district voting at the elections of the city. For the purpose
 227 of electing the six city councilmembers, there shall be six city council districts, designated
 228 City Council Districts 1 through 6, as described in Appendix B of this Act and the
 229 accompanying Redistricting Plan Components Report, which are attached to and made a part
 230 of the charter of the City of Sandy Springs. Each person desiring to offer as a candidate for
 231 city councilmember shall designate the city council district for which he or she is offering.

232 **SECTION 2.02.**

233 Mayor and city councilmembers; election, terms, and qualifications for office.

234 (a) Except as otherwise provided in subsection (c) of this section, the mayor and members
 235 of the city council shall serve for terms of four years and until their respective successors are
 236 elected and qualified. No person shall be eligible to serve as mayor or city councilmember
 237 unless that person shall have been a resident of the area comprising the corporate limits of
 238 the City of Sandy Springs for a continuous period of at least 12 months immediately prior
 239 to the date of the election for mayor or city councilmember, shall continue to reside therein
 240 during that person's period of service, and shall continue to be registered and qualified to vote
 241 in municipal elections of the City of Sandy Springs. In addition to the above requirements,
 242 no person shall be eligible to serve as a city councilmember representing a city council
 243 district unless that person has been a resident of the district such person seeks to represent
 244 for a continuous period of at least six months immediately prior to the date of the election
 245 for city councilmember and continues to reside in such district during that person's period
 246 of service.

247 (b) General municipal elections shall be held on the Tuesday next following the first
 248 Monday in November of 2005 and quadrennially thereafter.

249 (c) The first mayor and the initial city councilmembers shall take office on December 1,
 250 2005, and shall serve for terms which expire when their successors take office in January of
 251 2010. Thereafter the mayor and city councilmembers shall take office as provided in Code
 252 Section 21-2-541.1 of the O.C.G.A. and serve for terms of four years. The initial members
 253 and future members of the governing authority shall serve until their successors are elected
 254 and qualified.

255 **SECTION 2.03.**

256 Vacancy; filling of vacancies; suspensions.

257 The office of mayor or city councilmember shall become vacant upon the incumbent's death,
 258 resignation, forfeiture of office, or removal from office in any manner authorized by this Act
 259 or the general laws of the State of Georgia. A vacancy in the office of mayor or city
 260 councilmember shall be filled for the remainder of the unexpired term by a special election
 261 if such vacancy occurs 12 months or more prior to the expiration of the term of that office.
 262 If such vacancy occurs within 12 months of the expiration of the term of that office, the city
 263 council or those members remaining shall appoint a successor for the remainder of the term.
 264 This provision shall also apply to a temporary vacancy created by the suspension from office
 265 of the mayor or any city councilmember.

266 **SECTION 2.04.**

267 Nonpartisan elections.

268 Political parties shall not conduct primaries for city offices and all names of candidates for
269 city offices shall be listed without party designation.

270 **SECTION 2.05.**

271 Election by majority vote.

272 The candidates for mayor and city councilmember who receive a majority of the votes cast
273 in the applicable election shall be elected to a term of office. In the event no candidate
274 receives a majority of the votes cast in said election, a run-off election shall be held between
275 the two candidates receiving the highest number of votes. Such run-off shall be held at the
276 time specified by state election law, unless such run-off date is postponed by court order.

277 **SECTION 2.06.**

278 Applicability of general laws; qualifying; other provisions.

279 All primaries and elections shall be held and conducted in accordance with Chapter 2 of Title
280 21 of the O.C.G.A., the 'Georgia Election Code,' as now or hereafter amended. Except as
281 otherwise provided by this Act, the city council shall, by ordinance or resolution, prescribe
282 such rules and regulations as it deems appropriate, including but not limited to the
283 establishment of qualifying fees, to fulfill any options and duties under Chapter 2 of Title 21
284 of the O.C.G.A., the 'Georgia Election Code,' as now or hereafter amended.

285 **SECTION 2.07.**

286 Compensation and expenses.

287 Through December 31, 2012, the starting salary of the mayor shall be not less than
288 \$25,000.00 and the starting salary for each city councilmember shall be not less than
289 \$12,000.00. Effective January 1, 2013, the starting salary of the mayor shall not be less than
290 \$40,000.00 and the starting salary for each city councilmember shall not be less than
291 \$18,000.00. Such salary shall be paid from municipal funds in monthly installments. The
292 city council shall have authority to vote annually to raise the mayor and city councilmembers'
293 salaries in an amount consistent with the Consumer Price Index or similar inflationary index.
294 The city council may provide by ordinance for the provision of insurance, retirement,
295 workers' compensation, and other employee benefits to the mayor and members of the city

296 council and may provide by ordinance for the reimbursement of expenses actually and
 297 necessarily incurred by the mayor and members of the city council in carrying out their
 298 official duties.

299 **SECTION 2.08.**

300 Inquiries and investigations.

301 The city council may make inquiries and investigations into the affairs of the city and
 302 conduct of any department, office, or agency thereof including inquiries and investigation
 303 into the services provided to the city by contractors or other persons doing business with the
 304 city. For such purpose, the city council may subpoena witnesses, administer oaths, take
 305 testimony, and require the production of evidence. Any person who fails or refuses to obey
 306 a lawful order issued in the exercise of these powers by the city council shall be punished as
 307 may be provided by ordinance.

308 **SECTION 2.09.**

309 Meetings and mayor pro tempore.

310 (a) The city council shall meet on the first working day in January immediately following
 311 each regular municipal election. The meeting shall be called to order by the mayor-elect and
 312 the oath of office shall be administered to the newly elected mayor and city councilmembers
 313 by a judicial officer authorized to administer oaths. The oath shall, to the extent that it
 314 comports with federal and state law, be as follows:

315 'I do solemnly swear or affirm that I will faithfully execute the office of [city
 316 councilmember or mayor as the case may be] of the City of Sandy Springs, and will to the
 317 best of my ability support and defend the Constitution of the United States, the Constitution
 318 of Georgia, and the charter, ordinances, and regulations of the City of Sandy Springs. I am
 319 not the holder of any unaccounted for public money due this state or any political
 320 subdivision or authority thereof. I am not the holder of any office of trust under the
 321 government of the United States, any other state, or any foreign state which I by the laws
 322 of the State of Georgia am prohibited from holding. I am otherwise qualified to hold said
 323 office according to the Constitution and laws of Georgia. I have been a resident of my
 324 district and the City of Sandy Springs for the time required by the Constitution and laws
 325 of this state and by the municipal charter. I will perform the duties of my office in the best
 326 interest of the City of Sandy Springs to the best of my ability without fear, favor, affection,
 327 reward, or expectation thereof.'

328 (b) Following the induction of the mayor and city councilmembers, the city council, by a
329 majority vote of the city councilmembers, shall elect a city councilmember to be mayor pro
330 tempore, who shall serve for a term of four years and until a successor is elected and
331 qualified. The mayor pro tempore shall assume the duties and powers of the mayor during
332 the mayor's disability or absence, except that the mayor pro tempore shall continue to vote
333 as a city councilmember and may not exercise the mayor's prerogative to vote in the case of
334 a tie. During the mayor's disability or absence, the mayor pro tempore may veto any action
335 of city council. If the mayor pro tempore is absent because of sickness or disqualification,
336 any one of the remaining city councilmembers, chosen by the members present, shall be
337 clothed with all the rights and privileges of the mayor and shall perform the mayor's duties
338 in the same manner as the mayor pro tempore.

339 (c) The city council shall, at least once a month, hold regular meetings at such times and
340 places as prescribed by ordinance. The city council may recess any regular meeting and
341 continue such meeting on any weekday or hour it may fix and may transact any business at
342 such continued meeting as may be transacted at any regular meeting.

343 (d) Special meetings of the city council may be held on the call of the mayor or three
344 members of the city council. Notice of such special meetings shall be delivered to all
345 members of the city council and the mayor personally, by registered mail, or by electronic
346 means, at least 24 hours in advance of the meeting. Such notice to city councilmembers shall
347 not be required if the mayor and all city councilmembers are present when the special
348 meeting is called. Such notice of any special meeting may be waived by the mayor or a city
349 councilmember in writing before or after such a meeting and attendance at the meeting shall
350 also constitute a waiver of notice. The notice of such special meeting shall state what
351 business is to be transacted at the special meeting. Only the business stated in the call may
352 be transacted at the special meeting.

353 **SECTION 2.10.**

354 Quorum; voting.

355 Four city councilmembers shall constitute a quorum and shall be authorized to transact
356 business for the city council. Voting on the adoption of ordinances shall be taken by voice
357 vote and the yeas and nays shall be recorded in the minutes, but on the request of any
358 member there shall be a roll-call vote. In order for any ordinance, resolution, motion, or
359 other action of the city council to be adopted, the measure must receive at least three
360 affirmative votes and must receive the affirmative votes of a majority of those voting. No
361 member of the city council shall abstain from voting on any matter properly brought before
362 the city council for official action except when such member of city council has a conflict

363 of interest which is disclosed in writing prior to or at the meeting and made a part of the
364 minutes. Any member of the city council present and eligible to vote on a matter and
365 refusing to do so for any reason other than a properly disclosed and recorded conflict of
366 interest shall be deemed to have acquiesced or concurred with the members of the majority
367 who did vote on the question involved. The mayor shall vote only in the case of a tie or in
368 the case where his or her vote will provide the third affirmative vote required for approval
369 of a matter.

370 **SECTION 2.11.**

371 General power and authority of the city council.

372 (a) Except as otherwise provided by law or by this charter, the city council shall be vested
373 with all the powers of government of the City of Sandy Springs as provided by Article I of
374 this charter.

375 (b) In addition to all other powers conferred upon it by law, the city council shall have the
376 authority to adopt and provide for the execution of such ordinances, resolutions, rules, and
377 regulations, not inconsistent with this charter and the Constitution and the laws of the State
378 of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order,
379 protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity,
380 or well-being of the inhabitants of the City of Sandy Springs and may enforce such
381 ordinances by imposing penalties for violation thereof.

382 **SECTION 2.12.**

383 Administrative and service departments.

384 (a) Except for the office of city manager, the city council, by ordinance, may establish,
385 abolish, merge, or consolidate offices, positions of employment, departments, and agencies
386 of the city as they shall deem necessary for the proper administration of the affairs and
387 government of the city. The city council shall prescribe the functions and duties of existing
388 departments, offices, and agencies or of any departments, offices, and agencies hereinafter
389 created or established; may provide that the same person shall fill any number of offices and
390 positions of employment; and may transfer or change the functions and duties of offices,
391 positions of employment, departments, and agencies of the city.

392 (b) The operations and responsibilities of each department now or hereafter established in
393 the city shall be distributed among such divisions or bureaus as may be provided by
394 ordinance of the city council. Each department shall consist of such officers, employees, and

395 positions as may be provided by this charter or by ordinance and shall be subject to the
396 general supervision and guidance of the mayor and city council.

397 (c) Except for the services provided by the mayor, city council, and city manager, the city
398 council may establish contracts for services with private or public entities for services
399 authorized by this Act or the laws of this state.

400 **SECTION 2.13.**

401 Boards, commissions, and authorities.

402 (a) All members of boards, commissions, and authorities of the city shall be nominated by
403 the mayor and be confirmed by the city council for such terms of office and such manner of
404 appointment as provided by ordinance, except where other appointing authority, term of
405 office, or manner of appointment is prescribed by this charter or by applicable state law.

406 (b) No member of any board, commission, or authority of the city shall hold any elective
407 office in the city. City councilmembers and the mayor, however, may serve as ex officio
408 members of such boards, commissions, or authorities, without a vote.

409 (c) Any vacancy in office of any member of a board, commission, or authority of the city
410 shall be filled for the unexpired term in the manner prescribed for original appointment,
411 except as otherwise provided by this charter or any applicable state law.

412 (d) No member of any board, commission, or authority shall assume office until he or she
413 shall have executed and filed with the designated officer of the city an oath obligating
414 himself or herself to faithfully and impartially perform the duties of his or her office, such
415 oath to be prescribed by ordinance of the city council and administered by the mayor.

416 (e) Any member of a board, commission, or authority may be removed from office for cause
417 by a vote of a majority of the members of the city council.

418 (f) Members of boards, commissions, and authorities may receive such compensation and
419 expenses in the performance of their official duties as prescribed by ordinance.

420 (g) Except as otherwise provided by this charter or by applicable state law, each board,
421 commission, or authority of the city government shall elect one of its members as
422 chairperson and one member as vice chairperson for terms of one year and may elect as its
423 secretary one of its own members or may appoint as secretary an employee of the city. Each
424 board, commission, or authority of the city government may establish such bylaws, rules, and
425 regulations not inconsistent with this charter, ordinances of the city, or applicable state law
426 as it deems appropriate and necessary for the conduct of its affairs, copies of which shall be
427 filed with the designated officer of the city.

428

SECTION 2.14.

429

Ordinance form; procedures.

430 (a) Every proposed ordinance and resolution shall be introduced in writing and the city
 431 council shall have the authority to approve, disapprove, or amend the same. A resolution
 432 may be passed at the time it is offered, but an ordinance shall not be adopted until the title
 433 of said ordinance shall have been read at two city council meetings, provided that the
 434 beginning of said meetings be not less than 24 hours nor more than 60 days apart. This
 435 requirement of two readings shall not apply to emergency ordinances or to ordinances
 436 adopted at the first business meeting of the city council in a calendar year.

437 (b) The catchlines of sections of this charter or any ordinance printed in boldface type,
 438 italics, or otherwise, are intended as mere catchwords to indicate the contents of the section,
 439 and:

440 (1) Shall not be deemed or taken to be titles of such sections or as any part of the section;
 441 and

442 (2) Shall not be so deemed when any of such sections, including the catchlines, are
 443 amended or reenacted unless expressly provided to the contrary.

444 Furthermore, the chapter, article, and section headings contained in this Act shall not be
 445 deemed to govern, limit, or modify or in any manner affect the scope, meaning, or intent of
 446 the provisions of any chapter, article, or section hereof.

447 (c) The city council may, by ordinance or resolution, adopt rules and bylaws to govern the
 448 conduct of its business, including procedures and penalties for compelling the attendance of
 449 absent members. Such rules may include punishment for contemptuous behavior conducted
 450 in the presence of the city council.

451

SECTION 2.15.

452

Submission of ordinances to the mayor.

453 (a) Every ordinance, resolution, and other action adopted by the city council shall be
 454 presented promptly to the mayor. Except for city council approval of appointments to
 455 committees, boards, and commissions, the employment of any appointed officer, internal
 456 affairs, or matters which must be approved by the voters, the mayor may veto any action
 457 adopted by the city council.

458 (b) The veto must be exercised no later than the next regular city council meeting following
 459 the meeting at which the action was taken. If an action is disapproved, the mayor shall
 460 submit to the city council a written statement of the reasons for the mayor's veto.

461 (c) An action vetoed by the mayor shall automatically be on the agenda at the next regular
 462 meeting of the city council for reconsideration. If the minimum number of city
 463 councilmembers necessary to vote on overriding the veto are not present, the action may be
 464 continued until the next meeting at which the minimum number of city councilmembers are
 465 present. Such action shall not become effective unless it is readopted by the affirmative
 466 votes of at least five members of city council within 60 days of the veto. A veto may be
 467 overturned and a measure adopted by a vote of five or more city councilmembers.

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

473 (e) If an ordinance or resolution has been signed by the mayor, it shall become effective.
 474 If an ordinance or resolution is neither approved nor disapproved by the mayor by the next
 475 regular meeting of the city council, it shall become effective.

476 ARTICLE III

477 EXECUTIVE BRANCH

478 SECTION 3.01.

479 Powers and duties of the mayor.

480 (a) The mayor shall be the chief executive officer of the city government, a member of and
 481 the presiding officer of the city council, and responsible for the efficient and orderly
 482 administration of the city's affairs. The mayor shall be responsible for the enforcement of
 483 laws, rules, regulations, ordinances, and franchises in the city. The mayor may conduct
 484 inquiries and investigations into the conduct of the city's affairs and shall have such powers
 485 and duties as specified in this charter or as may be provided by ordinance consistent with this
 486 charter.

487 (b) The mayor shall:

- 488 (1) Preside at all meetings of the city council;
- 489 (2) Be the head of the city for the purpose of service of process and for ceremonial
 490 purposes and be the official spokesperson for the city and the advocate of policy;
- 491 (3) Sign as a matter of course on behalf of the city all written and approved contracts,
 492 ordinances, resolutions, and other instruments executed by the city which by law are
 493 required to be in writing;
- 494 (4) See that all laws and ordinances of the city are faithfully executed;

- 495 (5) Vote on any motion, resolution, ordinance, or other question before the city council
 496 only as provided in Section 2.10 of this charter and vote on any matter before a committee
 497 on which he or she serves;
- 498 (6) Obtain short term loans in the name of the city when authorized by the city council to
 499 do so;
- 500 (7) Appoint councilmembers to oversee and report on the functions of the various
 501 departments of the city;
- 502 (8) Require the city manager to meet with him or her at a time and place designated for
 503 consultation and advice upon the affairs of the city;
- 504 (9) Name qualified residents of the city to boards and commissions with approval of the
 505 city council;
- 506 (10) Make recommendations to the city council with respect to employment or termination
 507 decisions of city employees which decisions shall be approved by the mayor and city
 508 council;
- 509 (11) Prepare or have prepared an agenda for each meeting of the city council which shall
 510 include all business submitted by the mayor, any councilmember, the city manager, and the
 511 city attorney; and
- 512 (12) Fulfill and perform such other duties as are imposed by this charter and duly adopted
 513 ordinances.

514 **SECTION 3.02.**

515 City manager; appointment, qualification, and compensation.

516 The mayor shall appoint, subject to confirmation by the city council, for an indefinite term
 517 an officer whose title shall be the 'city manager' and the city manager shall serve at the
 518 pleasure of the city council. The city manager shall be appointed without regard to political
 519 beliefs and solely on the basis of his or her executive and administrative qualifications with
 520 special reference to his or her educational background and actual experience in, and
 521 knowledge of, the duties of office as hereinafter prescribed.

522 **SECTION 3.03.**

523 City manager; chief administrative officer.

524 The city manager shall be the chief administrative officer of the government of the City of
 525 Sandy Springs. Except as approved by the mayor and city council, the city manager must
 526 devote all of his or her working time and attention to the affairs of the city and shall be

527 responsible to the mayor and city council for the proper and efficient administration of the
 528 affairs of the city over which said officer has jurisdiction.

529 **SECTION 3.04.**

530 City manager; powers and duties enumerated.

531 The city manager shall have the power, and it shall be his or her duty to:

- 532 (1) See that all laws and ordinances are enforced;
- 533 (2) Appoint and employ all necessary employees of the city, provided that excepted from
 534 the power of this appointment are those officers and employees who by this Act are
 535 appointed or elected by the city council or departments not under the jurisdiction of the city
 536 manager;
- 537 (3) Remove employees employed by said officer without the consent of the city council
 538 and without assigning any reason therefore;
- 539 (4) Exercise supervision and control of all departments and all divisions created in this
 540 charter or that may hereafter be created by the city council except as otherwise provided
 541 in this Act;
- 542 (5) Attend all meetings of the city council with a right to take part in the discussions, but
 543 having no vote. The city manager shall be entitled to notice of all special meetings;
- 544 (6) Recommend to the city council, after prior review and comment by the mayor, for
 545 adoption such measures as the city manager may deem necessary or expedient;
- 546 (7) See that all terms and conditions imposed in favor of the city or its inhabitants in any
 547 public utility franchise are faithfully kept and performed and upon knowledge of any
 548 violation thereof to call the same to the attention of the city attorney, whose duty it shall
 549 be forthwith to take such steps as are necessary to protect and enforce the same;
- 550 (8) Make and execute all lawful contracts on behalf of the city as to matters within said
 551 officer's jurisdiction to the extent that such contracts are funded in the city's budget, except
 552 such as may be otherwise provided by law; provided, however, that no contract purchase
 553 or obligation requiring a budget amendment shall be valid and binding until after approval
 554 of the city council;
- 555 (9) Act as budget officer to prepare and submit to the city council, after review and
 556 comment by the mayor, prior to the beginning of each fiscal year a budget of proposed
 557 expenditures for the ensuing year, showing in as much detail as practicable the amounts
 558 allotted to each department of the city government and the reasons for such estimated
 559 expenditures;
- 560 (10) Keep the city council at all times fully advised as to the financial condition and needs
 561 of the city;

- 562 (11) Make a full written report to the city council on the first of each month showing the
 563 operations and expenditures of each department of the city government for the preceding
 564 month, and a synopsis of such reports shall be published by the city clerk;
- 565 (12) Fix all salaries and compensation of city employees in accordance with the city
 566 budget and the city pay and classification plan; and
- 567 (13) Perform such other duties as may be prescribed by this Act or required by ordinance
 568 or resolution of the city council.

569 **SECTION 3.05.**

570 City Council interference with administration.

571 Except for the purpose of inquiries and investigations under Section 2.08 of this charter, the
 572 city council or its members shall deal with city officers and employees who are subject to the
 573 direction or supervision of the city manager solely through the city manager, and neither the
 574 city council nor its members shall give orders to any such officer or employee, either publicly
 575 or privately.

576 **SECTION 3.06.**

577 City manager; removal.

578 (a) The mayor and city council may remove the city manager from office in accordance with
 579 the following procedures:

580 (1) The city council shall adopt by affirmative vote of a majority of all its members a
 581 preliminary resolution removing the city manager and may suspend the city manager from
 582 duty for a period not to exceed 45 days. A copy of the resolution shall be delivered
 583 promptly to the city manager;

584 (2) Within five days after a copy of the resolution is delivered to the city manager, he or
 585 she may file with the city council a written request for a public hearing. This hearing shall
 586 be held at a city council meeting not earlier than 15 days nor later than 30 days after the
 587 request is filed. The city manager may file with the city council a written reply not later
 588 than five days before the hearing; and

589 (3) The city council may adopt a final resolution of removal, which may be made effective
 590 immediately, by affirmative vote of four of its members at any time after five days from
 591 the date when a copy of the preliminary resolution was delivered to the city manager, if he
 592 or she has not requested a public hearing, or at any time after the public hearing if he or she
 593 has requested one.

594 (b) The city manager shall continue to receive his or her salary until the effective date of a
595 final resolution of removal and, unless he or she has been convicted of a felony at that time,
596 he or she shall be given not less than 60 days' severance pay. The action of the city council
597 in suspending or removing the city manager shall not be subject to review by any court or
598 agency.

599 (c) If the city manager becomes disabled and is unable to carry out the duties of the office
600 or if the city manager dies, the acting city manager shall perform the duties of the city
601 manager until the city manager's disability is removed or until the city manager is replaced.
602 Removal of the city manager because of disability shall be carried out in accordance with the
603 provisions of subsection (a) of this section.

604 **SECTION 3.07.**

605 Acting city manager.

606 (a) The city manager may designate in writing any administrative employee of the city who
607 shall exercise all powers, duties, and functions of the city manager during the city manager's
608 temporary absence from the city or during the city manager's disability. If such designation
609 has not been made and the city manager is absent from the city or unable to perform the
610 duties of the office or to make such designation, the city council may, by resolution, appoint
611 any qualified administrative employee of the city to perform the powers, duties, and
612 functions of the city manager until the city manager shall return to the city, the disability
613 ceases, or the city council appoints a new city manager.

614 (b) In the event of a vacancy in the office of city manager, the city council may designate
615 a person as acting city manager, who shall exercise all powers, duties, and functions of the
616 city manager until a city manager is appointed.

617 **SECTION 3.08.**

618 City attorney.

619 The mayor shall nominate and the city council shall confirm by majority vote of the city
620 council a city attorney, together with such assistant city attorneys as may be deemed
621 appropriate, and shall provide for the payment of such attorney or attorneys for services
622 rendered to the city. The city attorney shall be responsible for representing and defending
623 the city in all litigation in which the city is a party; may be the prosecuting officer in the
624 municipal court; shall attend the meetings of the city council as directed; shall advise the city
625 council, mayor, other officers, and employees of the city concerning legal aspects of the
626 city's affairs; and shall perform such other duties as may be required by virtue of his or her

627 position as city attorney. The city attorney shall review all contracts of the city but shall not
628 have the power to bind the city.

629 **SECTION 3.09.**

630 City clerk.

631 The mayor may appoint a city clerk, subject to confirmation by majority vote of the city
632 council, to keep a journal of the proceedings of the city council; to maintain in a safe place
633 all records and documents pertaining to the affairs of the city; and to perform such duties as
634 may be required by law or ordinance or as the mayor or city manager may direct.

635 **SECTION 3.10.**

636 Tax collector.

637 The mayor may appoint a tax collector, subject to confirmation by majority vote of the city
638 council, to collect all taxes, licenses, fees, and other moneys belonging to the city subject to
639 the provisions of this charter and the ordinances of the city; and the tax collector shall
640 diligently comply with and enforce all general laws of Georgia relating to the collection, sale,
641 or foreclosure of taxes by municipalities.

642 **SECTION 3.11.**

643 City accountant.

644 The mayor may appoint a city accountant, subject to confirmation by majority vote of the
645 city council, to perform the duties of an accountant.

646 **SECTION 3.12.**

647 Consolidation of functions.

648 The city manager, with the approval of the city council, may consolidate any two or more of
649 the positions of city clerk, city tax collector, and city accountant, or any other positions or
650 may assign the functions of any one or more of such positions to the holder or holders of any
651 other positions. The city manager may also, with the approval of the city council, perform
652 all or any part of the functions of any of the positions or offices in lieu of the appointment
653 of other persons to perform the same.

654 **SECTION 3.13.**

655 Position classification and pay plans; employment at will.

656 The city manager shall be responsible for the preparation of a position classification and a
 657 pay plan which shall be submitted to the city council for approval. Said plan may apply to
 658 all employees of the City of Sandy Springs and any of its agencies and offices. When a pay
 659 plan has been adopted by the city council, neither the city council nor the city manager shall
 660 increase or decrease the salaries of individual employees except in conformity with such pay
 661 plan or pursuant to an amendment of said pay plan duly adopted by the city council. Except
 662 as otherwise provided in this charter, all employees of the city shall be subject to removal or
 663 discharge, with or without cause, at any time.

664 **ARTICLE IV**
 665 **MUNICIPAL COURT**

666 **SECTION 4.01.**

667 Creation.

668 There is established a court to be known as the Municipal Court of the City of Sandy Springs
 669 which shall have jurisdiction and authority to try offenses against the laws and ordinances
 670 of said city and to punish for a violation of the same. Such court shall have the power to
 671 enforce its judgments by the imposition of such penalties as may be provided by law,
 672 including ordinances of the city; to punish witnesses for nonattendance and to punish also
 673 any person who may counsel or advise, aid, encourage, or persuade another whose testimony
 674 is desired or material in any proceeding before said court to go or move beyond the reach of
 675 the process of the court; to try all offenses within the territorial limits of the city constituting
 676 traffic cases which, under the laws of Georgia, are placed within the jurisdiction of municipal
 677 courts to the extent of, and in accordance with, the provisions of such laws and all laws
 678 subsequently enacted amendatory thereof. Said court shall be presided over by the judge of
 679 said court. In the absence or disqualification of the judge, the judge pro tem shall preside and
 680 shall exercise the same powers and duties as the judge when so acting.

681 **SECTION 4.02.**

682 Judge.

683 (a) No person shall be qualified or eligible to serve as judge unless he or she shall have
 684 attained the age of 21 years and shall have been a member of the State Bar of Georgia for a
 685 minimum of three years. The judge shall be appointed by resolution of the city council. The

686 compensation of the judge shall be fixed by the city council. The position of judge created
 687 in this article shall not be a full-time position, and the person serving in said position may
 688 engage in the private practice of law.

689 (b) The judge pro tem shall serve as requested by the judge, shall have the same
 690 qualifications as the judge, shall be appointed by resolution of the city council, and shall take
 691 the same oath as the judge.

692 (c) Before entering on duties of his or her office, the judge and judge pro tem shall take an
 693 oath before an officer duly authorized to administer oaths in this state declaring that he or she
 694 will truly, honestly, and faithfully discharge the duties of his or her office to the best of his
 695 or her ability without fear, favor, or partiality. The oath shall be entered upon the minutes
 696 of the city council.

697 (d) The judge, or judge pro tem, shall serve for a term of four years but may be removed
 698 from the position by a two-thirds vote of the entire membership of the city council or upon
 699 action taken by the State Judicial Qualifications Commission for:

700 (1) Willful misconduct in office;

701 (2) Willful and persistent failure to perform duties;

702 (3) Habitual intemperance;

703 (4) Conduct prejudicial to the administration of justice which brings the judicial office into
 704 disrepute; or

705 (5) Disability seriously interfering with the performance of duties, which is, or is likely to
 706 become, of a permanent character.

707 **SECTION 4.03.**

708 Convening.

709 Said court shall be convened at such times as designated by ordinance or at such times as
 710 deemed necessary by the judge to keep current the dockets thereof.

711 **SECTION 4.04.**

712 Jurisdiction; powers; and duties.

713 (a) The municipal court shall try and punish for crimes against the City of Sandy Springs
 714 and for violation of its ordinances. The municipal court shall have authority to punish those
 715 in its presence for contempt, provided that such punishment shall not exceed \$200.00 or
 716 imprisonment for 15 days. The municipal court may fix punishment for offenses within its
 717 jurisdiction to the full extent allowed by state law.

718 (b) The municipal court shall have authority to establish a schedule of fees to defray the cost
719 of operation.

720 (c) The municipal court shall have authority to establish bail and recognizances to insure the
721 presence of those charged with violations before said court and shall have discretionary
722 authority to accept cash or personal or real property as security for appearances of persons
723 charged with violations. Whenever any person shall give bail for his or her appearance and
724 shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge
725 presiding at such time and an execution issued thereon by serving the defendant and his or
726 her sureties with a rule nisi at least two days before a hearing on the rule nisi. In the event
727 that cash or property is accepted in lieu of bond for security for the appearance of a defendant
728 at trial, and if such defendant fails to appear at the time and place fixed for trial, the cash so
729 deposited shall be on order of the judge declared forfeited to the City of Sandy Springs, or
730 the property so deposited shall have a lien against it for the value forfeited.

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

733 (e) The municipal court shall have the authority to administer oaths and to perform all other
734 acts necessary or proper to the conduct of said court.

735 (f) The municipal court may compel the presence of all parties necessary to a proper disposal
736 of each case by the issuance of summons, subpoena, and warrants which may be served as
737 executed by any officer as authorized by this charter or by state law.

738 (g) The municipal court is specifically vested with all of the judicial jurisdiction and judicial
739 powers throughout the entire area of the City of Sandy Springs granted by state laws
740 generally to municipal courts, and particularly by such laws as authorize the abatement of
741 nuisances.

742 (h) The judge or judge pro tem of the municipal court shall perform the administrative or
743 other duties outlined in the Uniform Rules for Chief Municipal Court Judges.

744 **SECTION 4.05.**

745 **Certiorari.**

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

780 law, or by other provisions of this charter, and for all debt service requirements for the
 781 ensuing fiscal year and the total appropriations from any fund shall not exceed the estimated
 782 fund balance, reserves, and revenues, constituting the fund availability of such fund.

783 **SECTION 5.05.**

784 Audits.

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

790 (b) As a minimum, all audits and budgets of the city shall satisfy the requirements of
 791 Chapter 81 of Title 36 of the O.C.G.A., relating to local government audits and budgets.

792 **SECTION 5.06.**

793 Homestead exemptions.

794 Any homestead exemptions applicable to ad valorem taxes levied by the city shall be as
 795 provided by Act of the General Assembly pursuant to Article VII, Section II, Paragraph II
 796 of the Georgia Constitution.

797 **ARTICLE VI**

798 **GENERAL PROVISIONS.**

799 **SECTION 6.01.**

800 Effective dates.

801 This Act shall become effective upon its approval by the Governor or upon its becoming law
 802 without such approval.

803 **SECTION 6.02.**

804 Charter commission.

805 At the first regularly scheduled city council meeting 15 years after the inception of the City
 806 of Sandy Springs, the mayor and city council shall call for a charter commission to review
 807 the city's experience and recommend to the General Assembly any changes to the city
 808 charter. Members of the charter commission shall be appointed as follows: one by the

809 mayor, one by the city council, and one by each member of the Georgia House of
 810 Representatives and Senate whose district lies wholly or partially within the corporate
 811 boundaries of Sandy Springs. All members of the charter commission must reside in Sandy
 812 Springs. The commission must complete the recommendations within six months of its
 813 creation.

814 **SECTION 6.03.**

815 Severability.

816 In the event any section, subsection, sentence, clause, or phrase of this Act shall be declared
 817 or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other
 818 sections, subsections, sentences, clauses, or phrases of this Act, which shall remain of full
 819 force and effect, as if the section, subsection, sentence, clause, or phrase so declared or
 820 adjudged invalid or unconstitutional were not originally a part hereof. The General
 821 Assembly hereby declares that it would have passed the remaining parts of this Act if it had
 822 known that such part or parts hereof would be declared or adjudged invalid or
 823 unconstitutional.

824 **SECTION 6.06.**

825 Repealer.

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

827 **APPENDIX A**

828 The corporate limits of the City of Sandy Springs shall consist of the following described
 829 territory of Fulton County:

830 Beginning at the northwest corner of the City of Atlanta, as the boundaries of said city
 831 existed on January 1, 2005, at the point where the northerly city limit line of said city
 832 intersects the westerly county line of Fulton County and the Chattahoochee River, running
 833 thence generally easterly along the said northerly city limit line of the City of Atlanta,
 834 following the meanderings thereof, to the point where said line intersects the
 835 Fulton-DeKalb County line; run thence northerly, generally easterly, and generally
 836 northerly along the easterly county line of Fulton County to the point where the
 837 Fulton-Gwinnett County line intersects the Chattahoochee River; run thence generally west
 838 and southwest along the southern bank of said river, following the meanderings thereof,

839 to the point of beginning. The corporate limits of the City of Sandy Springs shall also
840 consist of properties, if any, annexed by local ordinance.

841 APPENDIX B

842 City Council Districts 1 through 6 shall consist of the described territory of the City of Sandy
843 Springs identified as 'Plan: sterling1R Plan Type: Local Administrator: Sandy Springs User:
844 Gina'. When used in such plan, the terms 'Tract' and 'BG' shall mean and describe the same
845 geographical boundaries as provided in the report of the Bureau of the Census for the United
846 States decennial census of 2000 for the State of Georgia. The separate numeric designations
847 in a Tract description which are underneath a 'BG' heading shall mean and describe
848 individual Blocks within a Block Group as provided in the report of the Bureau of the Census
849 for the United States decennial census of 2000 for the State of Georgia. Any part of the City
850 of Sandy Springs which is not included in any such district described in that plan shall be
851 included within that district contiguous to such part which contains the least population
852 according to the United States decennial census of 2000 for the State of Georgia. Any part
853 of the City of Sandy Springs which is described in that plan as being in a particular district
854 shall nevertheless not be included within such district if such part is not contiguous to such
855 district. Such noncontiguous part shall instead be included with that district contiguous to
856 such part which contains the least population according to the United States decennial census
857 of 2000 for the State of Georgia.