

House Bill 286 (AS PASSED HOUSE AND SENATE)

By: Representative Harden of the 148th

A BILL TO BE ENTITLED
AN ACT

1 To provide for the restructuring of the governments of the City of Hawkinsville and Pulaski
2 County; to create and incorporate a new political body corporate under the name
3 Hawkinsville-Pulaski County, Georgia; to provide for the status, boundaries, and powers of
4 the restructured government; to provide for the form, administration, and affairs of the
5 restructured government; to provide for officers and employees, elections, courts, authorities,
6 taxation, and finance; to provide for related matters; to provide for severability; to provide
7 for a referendum; to provide for effective dates; to repeal conflicting laws; and for other
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 ARTICLE I

11 CONSOLIDATION, CREATION, BOUNDARIES, STATUS,
12 AND POWERS OF HAWKINSVILLE-PULASKI COUNTY, GEORGIA

13 SECTION 1-1-1.

14 Consolidation of county and city; name.

15 (a) The governmental and corporate powers, duties, and functions now vested in the
16 governing authority of the City of Hawkinsville, a municipal corporation incorporated by an
17 Act of the General Assembly of Georgia, approved April 4, 1991 (Ga. L. 1991, p. 4711), as
18 amended, are hereby consolidated with the governmental and corporate powers, duties, and
19 functions of Pulaski County. This consolidation shall result in the creation and establishment
20 of a single county-wide government with powers and jurisdiction throughout the territorial
21 limits of Pulaski County. Such county-wide government shall be a new political entity, a
22 body politic and corporate, and a political subdivision of the state to be known as
23 Hawkinsville-Pulaski County, Georgia, having all the governmental and corporate powers,
24 duties, and functions previously held by and vested in the City of Hawkinsville and in
25 Pulaski County and also the powers, duties, and functions provided in this charter.

26 (b) Hawkinsville-Pulaski County, Georgia, shall be a public corporation; shall have
 27 perpetual existence; shall adopt a common seal; shall, without the necessity or formality of
 28 a deed, bill of sale, or other instrument of transfer, own, possess, and hold all the properties
 29 of whatsoever kind or nature, assets, contracts, franchises, things, rights, privileges,
 30 immunities, and real and personal property theretofore owned, possessed, enjoyed, or held
 31 by the City of Hawkinsville or Pulaski County; and by the name of Hawkinsville-Pulaski
 32 County, Georgia, shall be capable of suing and being sued when authorized by this charter
 33 and by the Constitution and laws of the State of Georgia.

34 (c) On the effective date of this charter, the political subdivision known as Pulaski County,
 35 Georgia, and the municipal corporation known as the City of Hawkinsville, Georgia, shall
 36 be consolidated and merged into the new political entity created by this charter.

37 (d) The consolidation of the governments of the City of Hawkinsville and Pulaski County
 38 is authorized pursuant to the provisions of Article IX, Section III, Paragraph II(a) of the
 39 Constitution of the State of Georgia of 1983, as amended.

40 **SECTION 1-1-2.**

41 Boundaries.

42 Hawkinsville-Pulaski County, Georgia, shall embrace the total area included within the
 43 existing territorial limits of Pulaski County as such limits are established on the effective date
 44 of this charter, provided that such limits may be altered and changed from time to time as
 45 provided by the Constitution and laws of the State of Georgia pertaining to counties.

46 **SECTION 1-1-3.**

47 Status as municipal corporation and county.

48 Hawkinsville-Pulaski County, Georgia, shall be deemed to be both a municipal corporation
 49 and a county throughout the total territorial limits of such government.

50 **SECTION 1-1-4.**

51 Powers.

52 (a) Hawkinsville-Pulaski County, Georgia, shall have all rights, powers, duties, privileges,
 53 and authority, whether express or implied, that may now be vested in or hereafter granted to
 54 counties, municipal corporations, or both by the Constitution and laws of Georgia.

55 (b) In addition to the rights, duties, powers, privileges, and authority expressly conferred by
 56 this charter, the consolidated government of Hawkinsville-Pulaski County, Georgia, shall

57 have the right, duty, power, privilege, and authority to exercise and enjoy all other powers,
 58 duties, functions, rights, privileges, and immunities necessary and proper to promote or
 59 protect the safety, health, peace, security, and general welfare of the government and its
 60 inhabitants and to exercise all implied powers necessary to carry into execution all powers
 61 granted in this charter as fully and completely as if such powers were fully enumerated in this
 62 charter and to do and perform all of the acts pertaining to its property, affairs, and local
 63 government which are necessary or proper in the legitimate exercise of its corporate powers
 64 and governmental duties and functions.

65 (c) In addition to and supplementary to all other powers which it may possess, and by way
 66 of illustration and not of limitation, the consolidated government shall have the powers
 67 specifically enumerated in Section 8-1-3 of this charter. No enumeration of any right, power,
 68 privilege, or authority shall be construed as limiting or abolishing any right, power, privilege,
 69 or authority set forth in this charter.

70

SECTION 1-1-5.

71

Establishment of services districts.

72 Hawkinsville-Pulaski County shall initially be divided into two service districts. The
 73 boundaries of the special and general services districts, taxation and services within those
 74 districts, and the methods for changing district boundaries or services and for creating new
 75 districts are set forth in Section 7-1-2 of this charter.

76

ARTICLE II

77

GOVERNING AUTHORITY

78

CHAPTER 1

79

Board of commissioners.

80

SECTION 2-1-1.

81

Name.

82 The governing authority of Hawkinsville-Pulaski County, Georgia, shall be and is hereby
 83 designated as the "Board of Commissioners of Hawkinsville-Pulaski County, Georgia."

84

SECTION 2-1-2.

85

Composition and election.

86 The Board of Commissioners of Hawkinsville-Pulaski County, Georgia, shall consist of five
87 members, serving in part-time positions, including a chairperson elected at large and four
88 commissioners who shall be elected from single-member districts as provided in
89 Section 6-2-1 of this charter. The chairperson shall be elected by the voters of the county,
90 and each member of the board from single-member districts shall be elected by the voters of
91 the district that he or she represents. Each commissioner shall be elected in nonpartisan
92 elections as provided for in Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election
93 Code."

94

SECTION 2-1-3.

95

Terms and qualifications.

96 (a) The initial term of office of the chairperson of the board of commissioners and
97 commissioners elected from Districts 2 and 4 shall be two years, with members taking office
98 on the first day of January immediately following their election and serving until their
99 successors are elected and qualified. The initial term of office for commissioners elected
100 from Districts 1 and 3 shall be four years, with members taking office on the first day of
101 January immediately following their election and serving until their successors are elected
102 and qualified. Successors shall be elected in nonpartisan elections coinciding with the
103 general primary election immediately preceding the expiration of their term of office.

104 (b) Other than as provided in subsection (a) of this section, subsequent terms of office shall
105 be four years, with members taking office on the first day of January immediately following
106 their election and serving until their successors are elected and qualified. Successors to those
107 elected to the initial terms of office shall be elected in nonpartisan elections coinciding with
108 the general primary election immediately preceding the expiration of their term of office.

109 (c) Each candidate for chairperson of the board of commissioners shall specify that such
110 person is offering for election to the at-large position. Each candidate for the single-member
111 district seats on the board of commissioners shall specify the district for which such person
112 is offering for election. The successful candidate for chairperson shall be elected by a
113 majority of the qualified electors voting in the county. Each successful candidate for
114 single-member districts shall be elected by a majority of the qualified electors voting in such
115 district. No person shall be eligible for election or appointment to the board of
116 commissioners unless such person shall, on or before the date of election or appointment to
117 such office, have attained the age of 21, be a qualified elector of Hawkinsville-Pulaski

118 County, have been a resident of Hawkinsville-Pulaski County for at least 12 months prior to
 119 the election, and have been a resident of the district from which such person offers as a
 120 candidate for at least 12 months prior to the election. Failure of a member to continue to
 121 reside within the district from which elected or appointed during such member's term of
 122 office shall result in forfeiture of office.

123 **SECTION 2-1-4.**

124 Powers.

125 All powers of Hawkinsville-Pulaski County, Georgia, including any such powers which may
 126 hereafter be conferred by amendment of this charter or by the Constitution or laws of
 127 Georgia, shall be vested in the Board of Commissioners of Hawkinsville-Pulaski County,
 128 Georgia, except as otherwise provided by law or by this charter. The board shall provide by
 129 ordinance for the exercise of such powers and for the performance of all duties and
 130 obligations imposed on Hawkinsville-Pulaski County, Georgia, by law.

131 **SECTION 2-1-5.**

132 Chairperson; vice chairperson; powers; duties; term limits; vacancies.

133 (a) The chairperson shall be the executive head of the consolidated government and shall
 134 have such other powers and duties as may be provided by ordinance or resolution that are not
 135 in conflict with this charter. Specifically, the chairperson shall:

- 136 (1) Preside over all meetings of the board of commissioners;
- 137 (2) Serve as the ceremonial head of Hawkinsville-Pulaski County, Georgia, and as its
 138 official representative to federal, state, and local governmental bodies and officials;
- 139 (3) Set the agenda for meetings of the board of commissioners after receiving input from
 140 members of the board of commissioners;
- 141 (4) Call special meetings of the board as provided by this charter;
- 142 (5) Appoint and remove with a majority vote of the board the attorney for the
 143 consolidated government, members of all boards and authorities of the consolidated
 144 government, and members of committees of the board;
- 145 (6) Sign orders, checks, and warrants for payment of money subject to the policies and
 146 procedures adopted by the board of commissioners;
- 147 (7) Execute all contracts, deeds, and other obligations of the consolidated government;
- 148 and
- 149 (8) Perform any other duties and exercise any other powers required by state or federal
 150 law or authorized by a duly adopted ordinance that is not in conflict with this charter.

151 (b) The chairperson shall be authorized to vote on any matter before the board of
 152 commissioners in the same manner as any other member of the board. The chairperson shall
 153 not have the power to veto any ordinance or resolution duly enacted or adopted by the board
 154 of commissioners.

155 (c) At their first meeting in January each year, the commissioners shall elect a vice
 156 chairperson to serve for a term of one year. In the absence of the chairperson for any cause,
 157 the vice chairperson shall preside over meetings and discharge the duties of the chairperson.
 158 If a vacancy occurs in the position of chairperson, the vice chairperson shall assume the
 159 duties and receive the compensation of chairperson until a successor is elected or appointed
 160 and sworn into office as provided in Section 2-1-7 of this charter.

161 **SECTION 2-1-6.**

162 Compensation.

163 (a) The members of the board of commissioners shall be compensated at the base rate of
 164 \$500.00 per month from funds of Hawkinsville-Pulaski County.

165 (b) The chairperson of Hawkinsville-Pulaski County shall be compensated at the base rate
 166 of \$750.00 per month from funds of Hawkinsville-Pulaski County.

167 (c) The chairperson and members of the board of commissioners shall be eligible for such
 168 benefits as authorized under Code Section 36-1-11.1, subsection (a) of Code Section 36-35-4,
 169 and Code Sections 36-5-27 through 36-5-29 of the O.C.G.A.

170 (d) In addition to their salary, commissioners shall be reimbursed, under such regulations
 171 and limitations as may be adopted by the board of commissioners, for direct expenses
 172 incurred in carrying out the duties and responsibilities of the consolidated government.

173 (e) The salary of members of the board may be changed by ordinance or resolution in the
 174 manner specified for county governing authorities in Code Section 36-5-24 of the O.C.G.A.
 175 or any similar future general law of the State of Georgia.

176 (f) Nothing in this section shall be construed to prohibit the Board of Commissioners of
 177 Hawkinsville-Pulaski County, Georgia, from exercising its home rule powers as established
 178 in Code Section 36-5-24 of the O.C.G.A.

179 **SECTION 2-1-7.**

180 Vacancies.

181 (a) The office of commissioner shall become vacant if a member ceases to reside in the
 182 district from which elected or upon a member's death, resignation, or removal from office

183 or forfeiture of office upon the occurrence of any event specified by the Constitution, Title
184 45 of the O.C.G.A., or any other applicable law, now existing or hereafter enacted.

185 (b)(1) In the event that the office of commissioner becomes vacant for any reason, a
186 successor shall be selected as provided in paragraphs (2) and (3) of this subsection.

187 (2) If there are more than 12 months remaining in the unexpired term, the position shall
188 be filled by special election at the next permissible date for a special election. The
189 special election shall be called by the election superintendent as provided by general law.
190 Any person so elected must possess the same qualifications for election as set forth in
191 subsection (c) of Section 2-1-3 of this charter.

192 (3) If less than 12 months remain in the unexpired term, the board of commissioners
193 shall appoint a successor to fill the unexpired term. Any person so appointed must
194 possess the same qualifications for election as set forth in subsection (c) of Section 2-1-3
195 of this charter.

196 CHAPTER 2

197 Organization and procedure.

198 SECTION 2-2-1.

199 Oath; rules; records; meetings; quorum; emergency ordinances.

200 (a) The board of commissioners shall hold its organizational meetings on the first working
201 day in January following the general election. At or before such meetings, the newly elected
202 or reelected commissioners shall each take the following oath of office, to be administered
203 by the judge of the probate court:

204 "I do solemnly swear or affirm that I will well and truly perform the duties of the office of
205 commissioner of Hawkinsville-Pulaski County, Georgia, and that I will support and defend
206 the charter thereof and the Constitution and laws of the State of Georgia and of the United
207 States."

208 (b) The board shall determine its own rules and order of business as it deems appropriate to
209 govern the conduct and procedures of its meetings, provided that the board shall comply with
210 the open and public meeting requirements of Chapter 14 of Title 50 of the O.C.G.A. The
211 board shall provide for the keeping of minutes of its proceedings which shall be a public
212 record.

213 (c) The board shall hold at least one regular meeting each month. The board shall adopt by
214 ordinance the time, date, and place for such meeting. No additional notice shall be required
215 to be given for any regular meeting.

216 (d) The board may hold such special meetings as it deems necessary or proper. Special
217 meetings may be held on the call of the chairperson or any two or more commissioners upon

218 no less than 24 hours' written notice to each member at the usual place of business or
 219 residence of such member. Notice of special meetings must be provided for as specified by
 220 Code Section 50-14-1 of the O.C.G.A.

221 (e) The board of commissioners shall establish by ordinance procedures for the convening
 222 of emergency meetings.

223 (f) A majority of the members then serving on the board of commissioners shall constitute
 224 a quorum for the transaction of business. No official act which is to have the force and effect
 225 of law shall be valid or binding unless adopted by the affirmative vote of a majority of the
 226 board then serving.

227 (g) To meet a public emergency threatening life, health, property, or public safety, the board
 228 of commissioners may adopt emergency ordinances; provided, however, that such ordinances
 229 may not be enacted to levy taxes; to grant, renew, or extend a franchise; to regulate the rate
 230 charged for any public utility or service; or to authorize the borrowing of money unless it
 231 shall be repaid in 30 days or less. An emergency ordinance shall be plainly designated as an
 232 emergency ordinance and shall contain a declaration stating what emergency exists. An
 233 emergency ordinance may be adopted with or without amendment, but the affirmative vote
 234 of the board of commissioners shall be required for adoption. An emergency ordinance shall
 235 stand repealed on the sixteenth day following the date of its adoption; provided, however,
 236 that, if the emergency still exists, it may be reenacted as provided in this subsection. An
 237 emergency ordinance may be repealed by adoption of a repealing ordinance in the same
 238 manner specified for the adoption of an emergency ordinance.

239 **CHAPTER 3**

240 **Ethics and prohibited practices.**

241 **SECTION 2-3-1.**

242 **Conflicts of interest; holding other offices.**

243 (a) Conflicts of interest. No elected official, appointed officer, or employee of the
 244 consolidated government or of any agency or political entity to which this charter applies
 245 shall knowingly:

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

250 (2) Engage in or accept private employment or render services for private interests when
 251 such employment or service is incompatible with the proper discharge of his or her

252 official duties or would tend to impair the independence of his or her judgment or action
253 in the performance of his or her official duties;

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

258 (4) Accept any valuable gift, whether in the form of a service, loan, thing, or promise,
259 from any person, firm, or corporation which to his or her knowledge is interested, directly
260 or indirectly, in any manner whatsoever, in business dealings with the governmental body
261 by which he or she is engaged; provided, however, that an elected official who is a
262 candidate for public office may accept campaign contributions and services in connection
263 with any such campaign. The board shall adopt a policy or ordinance which quantifies
264 and defines the terms of valuable gifts;

265 (5) Represent other private interests in any action or proceeding against the consolidated
266 government or any portion thereof; or

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

269 (b) Disclosure. Any elected official, appointed officer, or employee who shall have any
270 private financial interest, directly or indirectly, in any contract or matter pending before or
271 within any department of the consolidated government shall disclose such private interest to
272 the board of commissioners. Any commissioner who has a private interest in any matter
273 pending before the board of commissioners shall disclose such private interest, such
274 disclosure shall be entered on the records of the board, and the commissioner shall disqualify
275 himself or herself from participating in any decision or vote relating thereto. Any elected
276 official, appointed officer, or employee of any agency or political entity to which this charter
277 applies who shall have any private financial interest, directly or indirectly, in any contract
278 or matter pending before or within any department of the consolidated government shall
279 disclose such private interest to the governing body of the agency or entity.

280 (c) Use of public property. No elected official, appointed officer, or employee of the
281 consolidated government or of any agency or entity to which this charter applies shall use
282 property owned by such governmental body for personal benefit, convenience, or profit
283 except in accordance with policies promulgated by the board of commissioners or the
284 governing body of such agency or entity.

285 (d) Contracts voidable and rescindable. Any violation of this section which occurs with the
286 knowledge, express or implied, of a party to a contract or sale shall render such contract or
287 sale voidable at the option of the board of commissioners.

288 (e) Ineligibility of elected official. Except where authorized by law, no commissioner shall
 289 hold any other elective or compensated appointed office in the consolidated government or
 290 otherwise be employed by the consolidated government or any agency thereof during the
 291 term for which he or she is elected, unless he or she vacates the office.

292 (f) Political activities of certain officers and employees. Any appointed officer or employee
 293 of the consolidated government shall be required to take a leave of absence or resign his or
 294 her position upon qualifying as a candidate for nomination or election to any elected office.

295 (g) Penalties for violations. Any officer who knowingly conceals such financial interest or
 296 knowingly violates any of the requirements of this section shall be guilty of malfeasance in
 297 office and shall be subject to the following penalties and actions:

- 298 (1) Written warning, censure, or reprimand to be issued in public;
- 299 (2) Removal from office as provided by Georgia law;
- 300 (3) Cancellation of the contract or rejection of the bid or offer;
- 301 (4) Recovery of the value transferred or received; and
- 302 (5) Referral to proper criminal authorities.

303 **SECTION 2-3-2.**

304 Prohibitions.

305 No member of the board of commissioners shall hold any other federal, state, or local
 306 elective office during that person's term of office as a commissioner. Nothing in this section
 307 shall be construed to prohibit any member of the board from representing
 308 Hawkinsville-Pulaski County on any special commission or regional entity or other
 309 intergovernmental agency or accepting any federal, state, or local appointive office unless
 310 prohibited by law.

311 **ARTICLE III**

312 **ADMINISTRATOR**

313 **SECTION 3-1-1.**

314 Appointment; qualifications; compensation.

315 (a) The board of commissioners by a majority vote of the members then serving shall
 316 appoint an administrator for a term to be determined by the board. The administrator shall
 317 serve at the pleasure of the board.

318 (b) Except as specifically provided in this section, the board shall, by ordinance, establish
 319 the administrator's qualifications, powers, duties, and compensation.

320 ARTICLE IV
 321 ADMINISTRATION
 322 CHAPTER 1

323 Officers.

324 **SECTION 4-1-1.**

325 Sheriff; law enforcement.

326 The sheriff of Pulaski County in office on the effective date of this charter shall be the sheriff
 327 of Hawkinsville-Pulaski County, Georgia. The sheriff shall serve for the same term as
 328 provided by law, and the compensation shall be fixed as provided by law. Subsequent
 329 elections for the sheriff shall be on the same basis as provided by law for the election of
 330 sheriffs generally. The sheriff shall be the chief law enforcement officer of
 331 Hawkinsville-Pulaski County, Georgia. In addition, the sheriff shall be responsible for the
 332 operation of the jail, the transport of prisoners, the service of process, and such other duties
 333 as are required of sheriffs by the Constitution and laws of Georgia.

334 **SECTION 4-1-2.**

335 Judge of the probate court; clerk of the superior court;
 336 tax commissioner; coroner; magistrate; surveyor.

337 The judge of the probate court, the clerk of the superior court, the tax commissioner, the
 338 coroner, the magistrate, and the surveyor of Pulaski County shall, after consolidation, be the
 339 judge of the probate court, the clerk of the superior court, the tax commissioner, the coroner,
 340 the magistrate, and the surveyor, respectively, of Hawkinsville-Pulaski County, Georgia.
 341 These officers shall serve for the same term as provided by law, and the compensation shall
 342 be fixed as provided by law. Subsequent elections for these officers shall be on the same
 343 basis as provided by law for the election of such officers generally. The judge of the probate
 344 court, the clerk of the superior court, the tax commissioner, the coroner, the magistrate, and
 345 the surveyor shall perform the same duties and exercise the same powers as conferred on
 346 such officers generally by the Constitution and laws of Georgia.

347 **SECTION 4-1-3.**

348 Attorney.

349 The attorney for Hawkinsville-Pulaski County shall be appointed and removed by the
 350 chairperson upon a vote of a majority of the members of the board of commissioners. The
 351 attorney shall act as the chief legal adviser to the board of commissioners, the administrator,

352 and all departments and agencies of Hawkinsville-Pulaski County and shall represent said
 353 government in all legal proceedings and perform such other duties prescribed by general law,
 354 by this charter, or by ordinance or resolution of the board of commissioners. The board of
 355 commissioners shall set the qualifications and compensation of the attorney and any other
 356 matters relative to the selection of the attorney.

357 **CHAPTER 2**

358 **Personnel.**

359 **SECTION 4-2-1.**

360 Existing pension rights protected.

361 All employees and former employees of any office, department, board, commission, or
 362 agency of the former City of Hawkinsville or of the former Pulaski County shall retain all
 363 pension rights, if any, which had accrued to them prior to the effective date of this charter
 364 under any existing pension system. The services of such employees shall not be deemed to
 365 have been interrupted by the adoption of this charter.

366 **SECTION 4-2-2.**

367 Establishment of new pension systems.

368 The board of commissioners is authorized and empowered to establish and maintain a new
 369 pension system or pension systems affecting employees and to revise, combine, and
 370 consolidate any pension system in effect on the effective date of this charter; provided,
 371 however, that in no event shall any revision, combination, or unification of any existing
 372 pension system in effect when this charter is adopted result in the curtailment or
 373 diminishment of any right accrued under any existing pension system to any person
 374 heretofore employed by the City of Hawkinsville, Pulaski County, or of any agency of such
 375 former governments.

376 **SECTION 4-2-3.**

377 Establishment of personnel system.

378 The board of commissioners shall establish a personnel system for all employees under the
 379 control of the consolidated government. The system shall be consistent with all state and
 380 federal laws.

381 **SECTION 4-2-4.**

382 Nepotism.

383 No elected or appointed official or employee of Hawkinsville-Pulaski County shall advocate,
 384 recommend, supervise, manage, or cause the employment, appointment, promotion, transfer,
 385 or advancement of his or her immediate relative to an office or position of employment
 386 within the Hawkinsville-Pulaski County government. An immediate relative includes
 387 spouse, mother, father, stepmother, stepfather, son, daughter, mother-in-law, father-in-law,
 388 son-in-law, daughter-in-law, stepson, stepdaughter, brother, brother-in-law, sister,
 389 sister-in-law, half brother, half sister, grandchild, stepgrandchild, grandparent, and
 390 grandparent of spouse.

391 **CHAPTER 3**

392 Boards, commissions, and authorities.

393 **SECTION 4-3-1.**

394 Boards, commissions, and authorities continued.

395 All existing boards, commissions, and authorities of either the City of Hawkinsville, Pulaski
 396 County, or both are continued without interruption on the effective date of this charter.

397 **SECTION 4-3-2.**

398 Boards, commissions, and authorities; appointments thereto.

399 Whenever general or local law provides for appointments to boards, commissions, or
 400 authorities from both the city and the county, all appointments shall be made by the Board
 401 of Commissioners of Hawkinsville-Pulaski County, Georgia, and all appointees shall be
 402 residents of Hawkinsville-Pulaski County.

403 **ARTICLE V**

404 **JUDICIARY**

405 **SECTION 5-1-1.**

406 Superior court and district attorney; probate court; magistrate
 407 court; unaffected by charter; redesignation.

408 (a) The Superior Court of Pulaski County, including the office of district attorney; the
 409 Probate Court of Pulaski County; and the Magistrate Court of Pulaski County shall continue
 410 their operations without interruption resulting from the adoption of this charter, and nothing

411 herein shall be construed as affecting the status of said courts. The courts shall be known as
 412 the Superior Court of Hawkinsville-Pulaski County, the Probate Court of
 413 Hawkinsville-Pulaski County, and the Magistrate Court of Hawkinsville-Pulaski County.

414 (b) On the effective date of this charter, the Municipal Court of Hawkinsville shall stand
 415 abolished. Any pending cases shall be transferred to the probate court, the magistrate court,
 416 or the superior court of Hawkinsville-Pulaski County, whichever has appropriate jurisdiction
 417 of the case.

418 **ARTICLE VI**

419 **ELECTIONS**

420 **CHAPTER 1**

421 Conduct of elections.

422 **SECTION 6-1-1.**

423 Applicability of general laws.

424 Except as otherwise provided by this charter, regular and special primaries and elections shall
 425 be conducted in accordance with provisions of Chapter 2 of Title 21 of the O.C.G.A., the
 426 "Georgia Election Code." As used in this chapter, the terms "election" or "general election"
 427 shall be construed to include the term "regular election" as provided in Section 6-1-2 of this
 428 charter; the term "governing authority" shall include the chairperson and the Board of
 429 Commissioners of Hawkinsville-Pulaski County, Georgia; the terms "municipal,"
 430 "municipality," or "county" shall include Hawkinsville-Pulaski County, Georgia; and the
 431 term "public office" shall include the elective offices of Hawkinsville-Pulaski County,
 432 Georgia.

433 **SECTION 6-1-2.**

434 Initial and regular elections; voting.

435 The initial members of the governing authority of Hawkinsville-Pulaski County, Georgia,
 436 shall be elected at a special election to be held in 2014 on the date established in Title 21 of
 437 the O.C.G.A. for nonpartisan elections. Subsequent elections shall be held as provided in
 438 Code Section 21-2-139 of the O.C.G.A. for nonpartisan elections in even-numbered years,
 439 beginning in 2018. All elections shall be held as specified in general law. Except for special
 440 elections to fill vacancies in office, all officers who are required by this charter to be elected
 441 shall be elected at the nonpartisan election immediately preceding the expiration of such
 442 officers' term of office.

443 CHAPTER 2

444 Election districts.

445 SECTION 6-2-1.

446 Number of districts; boundaries.

447 (a) For the purpose of electing the members of the board of commissioners, the territory of
 448 Hawkinsville-Pulaski County shall be divided into four election districts. One member of
 449 the board shall be elected from each such district. Commissioner Districts 1, 2, 3, and 4 shall
 450 be and correspond to those four numbered districts described in and attached to and made a
 451 part of this Act and further identified as "Plan: pulaski-cons-2013 Plan Type: Local
 452 Administrator: Pulaski Co. User: Gina".

453 (b) For the purposes of such plan:

454 (1) The term "VTD" shall mean and describe the same geographical boundaries as
 455 provided in the report of the Bureau of the Census for the United States decennial census
 456 of 2010 for the State of Georgia. The separate numeric designations in a district
 457 description which are underneath a VTD heading shall mean and describe individual
 458 Blocks within a VTD as provided in the report of the Bureau of the Census for the United
 459 States decennial census of 2010 for the State of Georgia; and

460 (2) Except as otherwise provided in the description of any district, whenever the
 461 description of any district refers to a named city, it shall mean the geographical
 462 boundaries of that city as shown on the census maps for the United States decennial
 463 census of 2010 for the State of Georgia.

464 (c) Any part of Pulaski County which is not included in any district described in
 465 subsection (a) of this section shall be included within that district contiguous to such part
 466 which contains the least population according to the United States decennial census of 2010
 467 for the State of Georgia.

468 (d) Any part of Pulaski County which is described in subsection (a) of this section as being
 469 included in a particular district shall nevertheless not be included within such district if
 470 such part is not contiguous to such district. Such noncontiguous part shall instead be
 471 included within that district contiguous to such part which contains the least population
 472 according to the United States decennial census of 2010 for the State of Georgia.

473 ARTICLE VII
 474 REVENUE AND FINANCE
 475 CHAPTER 1

476 Taxation and other revenues.

477 **SECTION 7-1-1.**

478 Levy and collection of taxes, fees, charges, and assessments; appropriations.

479 (a) For the purpose of raising revenue for the support and maintenance of the government
 480 of Hawkinsville-Pulaski County, Georgia, the board of commissioners shall have full power
 481 and authority to levy and collect taxes and fees and to appropriate funds and expend money.

482 (b) The board of commissioners shall have full power and authority to levy and collect all
 483 taxes, charges, and assessments which counties and municipalities are authorized to levy and
 484 collect, to the full extent permitted by the Constitution and laws of Georgia, whether local
 485 or general, including any tax hereafter authorized by state law.

486 **SECTION 7-1-2.**

487 Services districts; taxation therein.

488 (a) Hawkinsville-Pulaski County shall initially be composed of two services districts,
 489 wherein taxes and fees shall be assessed, levied, and collected in accordance with the kind,
 490 character, type, degree, and level of services provided by said government within such
 491 services districts, and the rate and manner of taxation may vary in any one district from that
 492 in other districts. One of such districts shall be known as the general services district and one
 493 of such districts shall be known as the special services district. Except as otherwise provided
 494 by this charter, all special services districts shall be created, expanded, merged, consolidated,
 495 or reduced only by an ordinance duly adopted by the board of commissioners under such
 496 general rules, procedures, regulations, requirements, and specifications as established by the
 497 board; provided, however, that no new special services district shall be created or existing
 498 such districts expanded, abolished, merged, consolidated, or reduced without providing an
 499 opportunity for interested persons to be heard at a public hearing. Notice of the proposed
 500 expansion, abolition, merger, consolidation, or reduction of a services district and of the
 501 required public hearing shall be published once a week for two weeks in the official
 502 newspaper of Hawkinsville-Pulaski County.

503 (b)(1) The general services district shall consist of the total area of Pulaski County.
 504 Hawkinsville-Pulaski County shall perform within the general services district those
 505 governmental duties, functions, and services which are generally available and accessible
 506 to all residents throughout the total area of said government.

507 (2) The general services district shall constitute a general service tax district within
 508 which the board of commissioners shall levy and collect taxes and fees and shall
 509 appropriate money to perform and discharge those powers, functions, and services
 510 provided in such district.

511 (c)(1) In addition to the general services district, the board of commissioners may also
 512 establish special services districts within which additional or higher levels of services are
 513 provided just as cities and counties are so authorized by Article IX, Section II,
 514 Paragraph VI of the Constitution. Hawkinsville-Pulaski County shall perform within its
 515 special services districts such additional, more comprehensive, and higher levels of
 516 governmental duties, functions, and services which benefit primarily the residents of such
 517 special services districts.

518 (2) The board of commissioners shall establish a special services district which shall
 519 consist of the area of the former City of Hawkinsville, together with any enlargement or
 520 modification thereof pursuant to the provisions of this charter. Hawkinsville-Pulaski
 521 County shall perform within the special services district those additional, more
 522 comprehensive and intensive, and higher levels of governmental duties, functions, and
 523 services which benefit primarily the residents of such special services district.

524 (3) Any special services district created by the board of commissioners shall constitute
 525 a special services tax district within which the board of commissioners may levy and
 526 collect additional taxes and fees and may appropriate additional money from such taxes
 527 and fees to perform and discharge those additional powers, functions, and additional
 528 services provided in such special services district by the consolidated government.

529 (d) The assessment of real and personal property for ad valorem tax purposes shall be a
 530 uniform basis throughout the entire area of Hawkinsville-Pulaski County; provided, however,
 531 that the rate and manner of additional taxation in services districts may vary in any services
 532 district from that in another or other services districts in such a way as to reflect reasonably
 533 the kind, character, type, degree, and level of services afforded to such services district or
 534 districts.

535 **CHAPTER 2**

536 **Borrowing and indebtedness.**

537 **SECTION 7-2-1.**

538 **Allocation of indebtedness.**

539 (a) All general indebtedness of Pulaski County, whether represented by general obligation
 540 bonds or otherwise, which may be outstanding upon the effective date of this charter shall

541 be allocated to the general services district as defined in this charter and is hereby recognized
 542 as the obligation of the general services district of Hawkinsville-Pulaski County, Georgia.

543 (b) All general indebtedness of the City of Hawkinsville, whether represented by general
 544 obligation bonds or otherwise, which may be outstanding upon the effective date of this
 545 charter shall be allocated to the special services district as defined in this charter and is
 546 hereby recognized as the obligation of the special services district of Hawkinsville-Pulaski
 547 County, Georgia.

548 (c) The annual tax levy ordinances for the general services district and the special services
 549 district shall provide, in addition to all other taxes assessed, a tax levy sufficient to pay the
 550 principal and interest charges on all outstanding general obligation bonds due or to be paid
 551 in the ensuing fiscal year.

552 (d) The board shall be empowered and authorized to issue revenue bonds for the purposes
 553 and in the manner as now or hereafter provided by Article 3 of Chapter 82 of Title 36 of the
 554 O.C.G.A., the "Revenue Bond Law."

555 (e) All revenue derived by the consolidated government from the issuance and sale of bonds
 556 shall be used exclusively for the purposes for which such bonds were issued, and all ad
 557 valorem taxes collected for the purpose of servicing or retiring such bonds shall be used
 558 exclusively for the payment of principal and interest thereof.

559

CHAPTER 3

560

Financial administration.

561

SECTION 7-3-1.

562

Fiscal year; budget; audit.

563 (a) The fiscal year of Hawkinsville-Pulaski County shall run from July 1 to June 30.

564 (b) The board of commissioners of the consolidated government shall adopt an annual
 565 budget and provide for an annual audit as provided for in Chapter 81 of Title 36 of the
 566 O.C.G.A.

567 (c) The administrator, with input from all department heads, constitutional officers, and
 568 other appointed officials of the consolidated government, shall prepare and present the
 569 annual budget of Hawkinsville-Pulaski County to the board of commissioners. The
 570 commissioners shall have full power and authority to adopt, reject, or amend the proposed
 571 budget.

572 **SECTION 7-3-2.**

573 Lapse of appropriations.

574 All unencumbered balances of appropriations in the current operating budget at the end of
 575 the fiscal year shall lapse into the unappropriated surplus or reserves of the fund or funds
 576 from which such appropriations were made.

577 **ARTICLE VIII**578 **GENERAL PROVISIONS**579 **SECTION 8-1-1.**

580 Application of laws; laws in force.

581 (a) The general laws of the State of Georgia and those general laws of local application
 582 through classification by population shall be applicable to and within the limits of
 583 Hawkinsville-Pulaski County, Georgia.

584 (b) Local Acts of the General Assembly of Georgia which apply specifically to either
 585 Pulaski County, the City of Hawkinsville, or both shall be applicable to Hawkinsville-Pulaski
 586 County, Georgia.

587 (c) In construing the applicability of provisions of the Constitution and the general laws of
 588 Georgia which apply in general terms to either counties, municipalities, or both and local
 589 Acts of the General Assembly that apply specifically to Pulaski County, the City of
 590 Hawkinsville, or both, the following terms as used in such laws shall be construed to include
 591 Hawkinsville-Pulaski County, Georgia, as follows:

592 (1) "County" shall be construed to include Hawkinsville-Pulaski County, Georgia;

593 (2) "City," "town," "municipal corporation," or "municipality" shall be construed to
 594 include Hawkinsville-Pulaski County, Georgia;

595 (3) "Commissioners of roads and revenues," "board of commissioners," "county
 596 commissioner," and "commissioner" shall be construed to include the Board of
 597 Commissioners of Hawkinsville- Pulaski County, Georgia;

598 (4) "Council," "mayor and council," "aldermen," "board of aldermen," and the "city
 599 commission" shall be construed to include the Board of Commissioners of
 600 Hawkinsville-Pulaski County, Georgia;

601 (5) "Chairman of the commissioners of roads and revenues," "chairman of the board of
 602 county commissioners," and "commissioner" shall be construed to include the
 603 chairperson of the Board of Commissioners of Hawkinsville-Pulaski County, Georgia.

604 (6) "Mayor" shall be construed to include the chairperson of the Board of Commissioners
 605 of Hawkinsville-Pulaski County, Georgia; and

606 (7) Any other terms and provisions as used in such Acts to refer specifically to Pulaski
 607 County, the City of Hawkinsville, and the officers, employees, departments, and agencies
 608 thereof shall be construed to mean Hawkinsville-Pulaski County, Georgia, and its
 609 officers, employees, departments, and agencies.

610 (d) In construing the applicability of laws in force to Hawkinsville-Pulaski County, the
 611 following order shall prevail:

612 (1) The Constitution of the State of Georgia;

613 (2) The general laws of uniform application now in force or hereafter enacted by the
 614 General Assembly (as distinguished from general laws of local application through
 615 classification by population) applicable to municipal corporations, counties, or both;

616 (3) The general laws of local application through classification by population;

617 (4) Special laws applicable to Pulaski County not in conflict with this charter;

618 (5) Special laws applicable to the City of Hawkinsville not in conflict with this charter;

619 (6) This charter and all ordinances and resolutions passed pursuant thereto; and

620 (7) Existing ordinances and resolutions of the former City of Hawkinsville and existing
 621 ordinances and resolutions of the former Pulaski County not in conflict with this charter.

622 **SECTION 8-1-2.**

623 Federal and state aid.

624 For the purpose of determining its right to receive and for the purpose of receiving state aid
 625 or grant-in-aid from the State of Georgia, the United States, any agency or instrumentality
 626 thereof, or any other source, public or private, Hawkinsville-Pulaski County, Georgia, shall
 627 be deemed a county but shall also be deemed an incorporated municipality. When state aid
 628 or other grant-in-aid is distributed to any county or municipality on the basis of population,
 629 area, or both, then the entire population and the total area of Hawkinsville-Pulaski County
 630 and the population or the area of the special services district or districts, respectively, shall
 631 be considered in calculating and determining the basis for such distribution. When state aid
 632 or other grant-in-aid is distributed to any county on the basis of rural area, rural road mileage,
 633 or rural population, or any combination thereof, then that area of the general services district
 634 outside of the special services district shall be deemed to constitute a rural area and its road
 635 mileage to constitute rural population.

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SECTION 8-1-3.

Examples of powers.

The powers of Hawkinsville-Pulaski County, Georgia, shall include, but shall not be limited to, the following powers:

- (1) Ad valorem taxation: to levy, assess, and collect ad valorem taxes on all taxable property;
- (2) Other taxes: to levy, assess, and collect other taxes allowed by general law and in accordance therewith;
- (3) Business regulation and taxation: to levy, assess, and collect occupational taxes and to license and regulate occupations and businesses. Such taxes may be based on any criteria or combination of criteria permitted by general law;
- (4) Appropriations: to make appropriations and expend funds for support of the consolidated government and any other lawful purposes;
- (5) Debts: to borrow money and issue bonds as authorized by general law;
- (6) Property: to own property and interests in property;
- (7) Gifts: to accept gifts and grants for any purpose related to the powers and duties of the consolidated government on such terms as the donor may impose;
- (8) Condemnation: to condemn property inside the consolidated government for present or future use;
- (9) Public utilities: to acquire, lease, operate, and dispose of public utilities;
- (10) Franchises: to grant franchises or make contracts for public utilities and to prescribe the conditions of such franchises and contracts;
- (11) Roadways: to open, maintain, improve, and close streets and roads and to grant franchises and rights-of-way thereon;
- (12) Public facilities: to acquire, operate, and dispose of public buildings, public projects, parks, cemeteries, recreational facilities, and other public improvements inside the consolidated government;
- (13) Building regulation: to regulate the building trades and the construction of buildings and to adopt and enforce building, housing, plumbing, electrical, gas, heating, and air conditioning codes;
- (14) Planning and zoning: to adopt land use plans and exercise the power of zoning and subdivision regulation;
- (15) Police power: to exercise the police power for the public safety and well-being of the citizens of the consolidated government;
- (16) Roadside regulation: to prohibit or regulate signs, billboards, and other items upon or adjacent to streets and roads;

- 672 (17) Health: to prescribe and enforce health and sanitation standards;
673 (18) Pollution: to regulate emissions which pollute the air and water;
674 (19) Fire safety: to fix fire limits and prescribe and enforce fire safety regulations;
675 (20) Public hazards: to provide for the destruction or removal of public hazards;
676 (21) Waste disposal: to provide for and regulate the collection, disposal, and recycling
677 of garbage and wastes;
678 (22) Water and sewer fees: to fix and collect water and sewer fees;
679 (23) Garbage fees: to fix and collect garbage fees;
680 (24) Nuisances: to define and provide for the abatement of nuisances;
681 (25) Property protection: to preserve and protect the property of the consolidated
682 government;
683 (26) Prisoners: to provide for public work by prisoners and for their confinement;
684 (27) Animal control: to regulate or prohibit the keeping of animals;
685 (28) Motor vehicles: to regulate the operation and parking of motor vehicles;
686 (29) Pensions: to provide and maintain a system of pensions and retirement for
687 employees and officers of the consolidated government;
688 (30) Special assessments: to levy, assess, and collect special assessments to cover the
689 cost of public improvements;
690 (31) Contracts: to enter into lawful contracts and agreements;
691 (32) Agencies: to create, alter, or abolish departments, boards, offices, commissioners,
692 authorities, and agencies of the consolidated government and to confer appropriate
693 authority upon them;
694 (33) Penalties: to provide penalties for violations of ordinances of the consolidated
695 government;
696 (34) Law enforcement and fire protection: to exercise the power of arrest through
697 certified law enforcement officers and to operate a fire department;
698 (35) Emergencies: to provide for the determination, proclamation, and combating of
699 emergencies;
700 (36) Urban redevelopment: to organize and operate an urban redevelopment program;
701 and
702 (37) General health, safety, and welfare: to define, regulate, and prohibit any act,
703 practice, conduct, or use of property which is detrimental to the health, sanitation,
704 cleanliness, welfare, and safety of the inhabitants of the consolidated government.

705 **SECTION 8-1-4.**

706 Effect of repeals.

707 No law heretofore repealed, expressly or by implication, shall be revived by the repeal herein
708 of the repealing Act or by any provision of this charter that disclaims an intention to repeal
709 or affect enumerated laws.

710 **SECTION 8-1-5.**

711 Severability clause.

712 If any provision of this charter or the application thereof to any person or circumstance is
713 held invalid, such invalidity shall not affect other provisions or applications of this charter
714 which can be given effect without the invalid provision or application, and to this end, the
715 provisions of this charter are declared to be severable.

716 **SECTION 8-1-6.**

717 Repeal of conflicting laws.

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

719 **SECTION 8-1-7.**

720 Tort and nuisance liability.

721 The tort and nuisance liability of the consolidated government shall follow the law and rules
722 of the tort liability applicable to counties in Georgia.

723 **ARTICLE IX**

724 **TRANSITION PROVISIONS**

725 **SECTION 9-1-1.**

726 Election of first officials.

727 (a) The first Board of Commissioners of Hawkinsville-Pulaski County, Georgia, shall be
728 elected as provided in Section 6-1-2 of this charter; provided, however, that if passage of this
729 charter by referendum shall occur on a date later than allows for election of the first members
730 such that they may assume office on January 1, 2015, elections shall be held on the first
731 legally allowable date following passage of the charter by referendum. The chairperson and

732 commissioners so elected shall serve terms as defined in Section 2-1-3 of this charter, except
733 that said terms shall expire as if they began on January 1, 2015.

734 (b) The election and any subsequent run-off shall be held in accordance with the provisions
735 of Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code." After final approval
736 of this charter, the superintendent of elections shall prepare a list of qualified voters for each
737 of the four commissioner districts described in Section 6-2-1 of this charter.

738 (c) The qualifications for office for such initial election shall be as prescribed by subsection
739 (b) of Section 2-1-3 of this charter.

740 (d) Any elected official of Pulaski County or of the City of Hawkinsville who is otherwise
741 qualified under this charter shall be entitled to qualify and run for office of
742 Hawkinsville-Pulaski County.

743 **SECTION 9-1-2.**

744 Initial terms of office.

745 All commissioners shall be elected for initial terms of office as set forth in Section 2-1-3 of
746 this charter and shall thereafter be elected to four-year terms of office and until their
747 respective successors are elected and qualified.

748 **SECTION 9-1-3.**

749 Provision of services during transition.

750 In order to consolidate the two governments and to assure the common and continued
751 administration of services currently provided by both the City of Hawkinsville and Pulaski
752 County, on the effective date of consolidation, all services currently provided by the county
753 shall be provided through the general services district to all residents of the county and all
754 services provided by the city shall be provided through the special services district to the
755 current residents of the City of Hawkinsville. Assuming the continued availability of state
756 and federal funds, these services arrangements shall apply until modified by the board of
757 commissioners.

758 **SECTION 9-1-4.**

759 Existing employees.

760 No person employed by either the City of Hawkinsville or Pulaski County shall be
761 terminated solely as a result of the consolidation of the city and county.

762 **SECTION 9-1-5.**

763 Effective date of charter.

764 This charter shall become effective January 1, 2015, or upon the election of the board of
765 commissioners and their taking office as the governing authority of the consolidated
766 government, if the same shall occur after January 1, 2015.

767 **SECTION 9-1-6.**

768 Initial budget.

769 (a) The initial budget of the Hawkinsville-Pulaski County, Georgia, government for the
770 period of time from the effective date of the government to the beginning of its first full
771 fiscal year on July 1 shall be equal to the sum of the budget then in place for the City of
772 Hawkinsville and Pulaski County, prorated to said period of time.

773 (b)(1) The first 12 month budget of Hawkinsville-Pulaski County, Georgia, beginning
774 July 1 following the effective date of the consolidated government and ending June 30
775 of the next year, shall be limited to a combined amount equal to the final 12 month
776 budgets of the City of Hawkinsville and Pulaski County for their respective preceding
777 fiscal years.

778 (2) This initial budget limitation shall not apply to any increases needed to satisfy any
779 new, unfunded state or federal mandates, expenses caused by the occurrence of a natural
780 disaster, increases needed to fund any step raises due employees of the consolidated
781 government, or increases needed to keep up with inflation as specified by the United
782 States Consumer Price Index.

783 **SECTION 9-1-7.**

784 Number of employees.

785 For the first 12 month period after the effective date of this charter, the total number of
786 employees of the consolidated government shall not exceed the combined number of
787 employees authorized for the City of Hawkinsville and Pulaski County immediately prior to
788 the effective date of this charter, except as otherwise specifically mandated by law.

789

SECTION 9-1-8.

790

Cooperation of former governments.

791 (a) All officers, officials, and employees of the former City of Hawkinsville and Pulaski
 792 County shall cooperate with and assist the board of commissioners, the administrator, and
 793 other officers of Hawkinsville-Pulaski County, Georgia:

794 (1) In planning the consolidation of departments, boards, commissions, and agencies of
 795 said former governments and in transferring the functions, duties, and responsibilities of
 796 such departments, boards, commissions, authorities, and agencies to the appropriate
 797 agencies of Hawkinsville-Pulaski County, Georgia; and

798 (2) In all other respects in order that the transfer of the governments be accomplished in
 799 the most orderly manner possible. The officers of Hawkinsville-Pulaski County shall be
 800 entitled to examine all records, files, and other data in the possession of the former
 801 governments and all officers, officials, employees, and departments thereof.

802 (b) A schedule for activity during the transition period is contained in the appendix attached
 803 to and made a part of this charter.

804

SECTION 9-1-9.

805

Existing ordinances and resolutions continued in effect.

806 (a) Existing ordinances and resolutions of Pulaski County and existing rules and regulations
 807 of county departments or agencies not inconsistent with the provisions of this charter shall
 808 continue in effect as ordinances, resolutions, rules, or regulations of Hawkinsville-Pulaski
 809 County, Georgia, or the appropriate department or agency thereof until they have been
 810 repealed, modified, or amended. However, if there is a conflict between existing ordinances
 811 and resolutions of Pulaski County and rules and regulations of county departments or
 812 agencies and existing ordinances and resolutions of the City of Hawkinsville and rules and
 813 regulations of city departments or agencies, those of Pulaski County shall only apply to the
 814 area of Hawkinsville-Pulaski County, Georgia, which lies outside the special services district.

815 (b) Existing ordinances and resolutions of the City of Hawkinsville and existing rules and
 816 regulations of city departments or agencies not inconsistent with the provisions of this charter
 817 shall continue in effect as ordinances and resolutions of Hawkinsville-Pulaski County,
 818 Georgia, and shall apply only to the area included within the special services district until
 819 they have been repealed, modified, or amended.

820 (c) In the event of a conflict between any of the ordinances or resolutions continued by this
 821 section, the provisions thereof shall apply only to that territory of Hawkinsville-Pulaski
 822 County to which such ordinance or resolution applied prior to the effective date of this

823 charter and until such ordinance or resolution is repealed, changed, or amended to eliminate
824 the conflict.

825 (d) Within 24 months of the effective date of the charter, the board of commissioners shall
826 have reviewed all ordinances and resolutions and shall take whatever action is necessary to
827 remove any conflicts continued by this section in order to produce a uniform body of
828 ordinances and resolutions which is free of any conflicts and contradictions between such
829 provisions.

830 **SECTION 9-1-10.**

831 Contracts and obligations.

832 (a) Except as otherwise provided by this charter, all contracts, orders, leases, bonds, and
833 other obligations or instruments entered into by Pulaski County or the City of Hawkinsville
834 or for the benefit of either the county or the city prior to the effective date of this charter shall
835 continue in effect according to the terms thereof as obligations and rights of
836 Hawkinsville-Pulaski County, Georgia; provided, however, that any obligations created by
837 Pulaski County or the City of Hawkinsville to become effective after the date of approval of
838 this charter and prior to the effective date of this charter shall be subject to ratification and
839 approval by the Board of Commissioners of Hawkinsville-Pulaski County, Georgia, within
840 six months following the effective date of this charter.

841 (b) No pending action or proceeding of any nature, whether civil, criminal, judicial,
842 administrative, or other, by or against the City of Hawkinsville or Pulaski County or an
843 agency or department thereof shall be abated or otherwise affected by the adoption of this
844 charter, and Hawkinsville-Pulaski County, Georgia, shall stand substituted as a party in lieu
845 thereof.

846 **SECTION 9-1-11.**

847 Dissolution of existing governments.

848 (a) On the effective date of this charter, the charter of the City of Hawkinsville, approved
849 April 4, 1991 (Ga. L. 1991, p. 4711), as amended, is repealed in its entirety.

850 (b) On the effective date of this charter, the office of Sole Commissioners of Pulaski County
851 and the Board of Commissioners of the City of Hawkinsville and all the officers thereof and
852 the offices thereof not continued under this charter are abolished, and all emoluments
853 appertaining thereto shall cease. Thereupon the governments of Pulaski County and the City
854 of Hawkinsville shall terminate as separate political entities and all powers, functions, duties,

855 and obligations thereof shall be transferred to and vested in Hawkinsville-Pulaski County,
856 Georgia.

857 **SECTION 9-1-12.**

858 Transfer of records and equipment.

859 When an agency of the City of Hawkinsville or of Pulaski County is abolished or
860 consolidated by this charter, all books, papers, maps, charts, plans, records, other equipment,
861 and personal property in possession of the same shall be delivered to the agency to which its
862 rights, powers, duties, and obligations are transferred.

863 **SECTION 9-1-13.**

864 Officers serve until successors qualify.

865 Notwithstanding any other provision of this charter, any officer performing duties under the
866 government of the City of Hawkinsville or Pulaski County shall continue to perform the
867 duties thereof until a successor, whether under the same title or office or another, shall be
868 elected or appointed and qualified to perform the duties. It is the intention hereof that no
869 duty or services shall lapse or be abandoned because of the lack of an officer to perform said
870 duties.

871 **SECTION 9-1-14.**

872 Submission to and changes required by the United States Department of Justice.

873 The charter shall be submitted to the United States Department of Justice by the governments
874 of the City of Hawkinsville and Pulaski County within 30 days of approval by the Governor
875 or its becoming law without such approval. In order to ensure that a referendum on the
876 question of the creation of Hawkinsville-Pulaski County, Georgia, will be held on the earliest
877 possible date, the General Assembly, as provided in Article IX, Section III, Paragraph II(a)
878 of the Constitution of the State of Georgia, hereby constitutes the members of the Pulaski
879 County legislative delegation as a legislatively created charter commission and grants it the
880 power to amend the charter to satisfy any required changes raised by the United States
881 Department of Justice. This legislatively created charter commission shall seek and accept
882 the assistance of the members of the Hawkinsville-Pulaski County Consolidation
883 Commission in fulfilling its responsibilities under this section.

884

SECTION 9-1-15.

885

Referendum on the charter.

886 (a) As soon as practicable after receipt of the certified copy of the proposed charter and after
 887 receipt of approval from the United States Department of Justice for a referendum on the
 888 proposed charter, it shall be the duty of the superintendent of elections of Pulaski County to
 889 call a special election for approval or rejection of the proposed charter. If possible, such
 890 special election shall be called for on the Tuesday following the first Monday in
 891 November, 2013. The superintendent of elections shall cause the date and purpose of the
 892 election to be published once a week for two calendar weeks immediately preceding the date
 893 thereof in the official legal organ of Pulaski County. The ballot shall have written or printed
 894 thereon the following:

895 "() YES Shall the charter reorganizing and fully consolidating the governments of
 896 the City of Hawkinsville and Pulaski County into a single government be
 897 () NO approved?"

898 (b) All persons desiring to vote for approval of the charter shall vote "Yes," and those
 899 persons desiring to vote for rejection of the charter shall vote "No." If more than one-half
 900 of the votes cast by the qualified voters of Pulaski County residing within the corporate limits
 901 of the City of Hawkinsville are for approval of the charter and if more than one-half of the
 902 total number of votes cast by all the qualified voters of Pulaski County are for approval of
 903 the charter, then the charter shall become effective. Otherwise, it shall be void and of no
 904 force and effect. The expense of such election shall be borne equally by the City of
 905 Hawkinsville and Pulaski County.

906 (c) The special election shall be conducted pursuant to Chapter 2 of Title 21 of the
 907 O.C.G.A., the "Georgia Election Code."

908 (d) A qualified voter, as used in this Act, shall mean a voter of Pulaski County qualified to
 909 vote for members of the General Assembly of Georgia. The superintendent of elections shall
 910 certify the returns to the Secretary of State. The superintendent of elections shall also furnish
 911 a certified copy of the charter to the Secretary of State. The Secretary of State shall issue a
 912 proclamation showing and declaring the result of the election on the approval or rejection of
 913 the charter. One copy of the proclamation shall be attached to the copy of the charter
 914 certified to the Secretary of State. One copy of the proclamation shall be delivered to the
 915 clerk of the governing authority of the City of Hawkinsville who shall attach the same to the
 916 copy of the charter previously certified to him or her. One copy of the proclamation shall be
 917 delivered to the clerk of the governing authority of Pulaski County who shall attach the same
 918 to the copy of the charter previously certified to him or her.

919 (e) Whenever a charter for the consolidation of the governments of the City of Hawkinsville
920 and Pulaski County has been accepted, the certified copies pursuant to subsection (d) of this
921 section, with the proclamation of the Secretary of State attached thereto, shall be deemed
922 duplicate original copies of the charter for all purposes. The certified copy of the charter and
923 proclamation deposited with the clerk of the governing authority of the City of Hawkinsville
924 and the certified copy of the charter and proclamation deposited with the clerk of the
925 governing authority of Pulaski County shall subsequently be delivered by them to the
926 successor government. The successor government may issue certified copies of the charter,
927 and any copy so certified shall be deemed a duplicate original copy of the charter for all
928 purposes. The Secretary of State is authorized to issue certified copies of the charter on file,
929 and copies so certified shall be deemed duplicate original copies of the charter of
930 Hawkinsville-Pulaski County, Georgia, for all purposes.

931 APPENDIX

932 Transition plan and schedule.

933 The following transition plan shall govern the implementation of this Act:

934 Stage 1: Referendum on charter until initial election.

935 (a) Upon approval of the consolidation, a transition team shall be formed. The transition
936 team shall be appointed and charged with anticipating implementation responsibilities,
937 issues, and opportunities related to the consolidation of the two governments. Their efforts
938 will involve collecting data, assembling facts, and presenting options to the officials of
939 Hawkinsville-Pulaski County when they take office. The transition team shall not have any
940 decision-making power and shall serve in an advisory function to the new government only
941 until such time as the newly elected officials assume the responsibilities described in Stage 2
942 of this appendix.

943 (b) The transition team shall consist of: the city manager; the attorney of either the City of
944 Hawkinsville or Pulaski County; the certified public accountant of either the City of
945 Hawkinsville or Pulaski County; one member of the Board of Commissioners of the City of
946 Hawkinsville; one appointee of the Board of Commissioners of the City of Hawkinsville who
947 shall not be an elected official or employee of the City of Hawkinsville; the Sole
948 Commissioner of Pulaski County; and one appointee of the Sole Commissioner of Pulaski
949 County who shall not be an elected official or employee of Pulaski County. The chairperson
950 of the transition team will be elected by and from the transition team members.

Plan: pulaski-cons-2013
Plan Type: Local
Administrator: Pulaski Co.
User: Gina

District 001
Pulaski County
VTD: 235EAST - EAST PRECINCT

950100:
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017
That portion of block 1018 excluding any incarcerated population assigned
to such block

1019 1020 1021 1025 1026 1027
VTD: 235NORTH - NORTH PRECINCT

950200:
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035
1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047
1048 1049 1050 1051 1052 1053 1054 1055 1056 1057 1058 1059
1060 1061 1062 1063 1064 1065 1066 1067 1068 1069 1070 1071
1072 1073 1074 1075 1079 1080 1081 1086 1087 1088 1089 1091
1096 1097 1098 1099 1100 1101 1102 1103 1104 1111 1112 1113
1114 1115 1116 1117 1118 1119 1120 1121 1122

District 002
Pulaski County
VTD: 235NORTH - NORTH PRECINCT

950200:
3041 3042 5000 6000 6001 6002 6003 6004 6005 6006 6007 6008
6009 6010 6011 6012 6013 6014 6015 6016 6017 6018 6019 6020
6066 6067 6068 6078 6079 6080 6081 6082

950300:
1017 1018 1019 1020 1021 1189 1190 1191

VTD: 235SOUTH - SOUTH PRECINCT

950200:
5012 5014 5015 5016 5017 5018 5019 5020 5021 5027 5028 5029
5030 5031 5032 5033 5040 5041 5042 5045 5046 5047 5048 5049
5050 5051 5052 5053 5054 5055 5056 5057 5058 5059 5060 5061
5062 5063 5064 5065 5066 5067 5068 5069 5070 5071 5072 5073
5074 6021 6022 6023 6024 6025 6026 6027 6028 6029 6030 6039
6040 6041 6042 6051 6052 6053

950300:
1011 1013 1014 1015 1016 1022 1023 1024 1025 1026 1027 1028
1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040
1041 1042 1043 1044 1045 1046 1047 1048 1049 1050 1051 1052
1053 1054 1056 1062 1063 1064 1065 1066 1067 1068 1069 1070
1071 1072 1073 1074 1075 1076 1077 1078 1079 1080 1081 1084
1116 1122 1172 1173 1174 1175 1176 1177 1178 1179 1180 1181
1182 1183 1184 1185 1186 1193

District 003
Pulaski County
VTD: 235EAST - EAST PRECINCT

950100:
1023 1024 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037
1038 1040 1042 1043 1044 1045 1046 1047 2010 2011 2012 2013
2014 2015 2016 2017 2018 2019 2023 2024 2025 2026 2027 2028
2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040
2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052
2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064
2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076
2078 2079 2080 2081 2082 2083

VTD: 235SOUTH - SOUTH PRECINCT

950200:
4006 4007 4008 4009 4014 4015 4016 4019 4025 4026 4028 4029
4032 4033 4034 4035 4036 4037 4038 4039 4040 4041 4043 4044
4045 4046 4048 6031 6032 6033 6034 6035 6036 6037 6038 6043
6044 6045 6046 6047 6048 6049 6050 6054 6055 6056 6057 6058
6059 6060 6061 6062 6063 6064 6065 6069 6070 6071 6072 6073
6074 6075 6076 6077 6083

950300:
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1012
1055 1057 1058 1059 1060 1061 1082 1083 1085 1086 1087 1088
1089 1090 1091 1092 1093 1094 1095 1096 1097 1098 1099 1100
1101 1102 1103 1104 1105 1106 1107 1108 1109 1110 1111 1112
1113 1114 1115 1117 1118 1119 1120 1121 1123 1124 1125 1126
1127 1128 1129 1130 1131 1132 1133 1134 1135 1136 1137 1138
1139 1140 1141 1142 1143 1144 1145 1146 1147 1148 1149 1150
1151 1152 1153 1154 1155 1156 1157 1158 1159 1160 1161 1162
1163 1164 1165 1166 1167 1168 1169 1170 1171 1187 1188 1192

District 004

Pulaski County

VTD: 235EAST - EAST PRECINCT

950100:

1022 1039 1041 1048 1049 1050 1051 1052 1053 1054 1055 1056
1057 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2020
2021 2022 2077

VTD: 235NORTH - NORTH PRECINCT

950200:

1076 1077 1078 1082 1083 1084 1085 1090 1092 1093 1094 1095
1105 1106 1107 1108 1109 1110 1123 2000 2001 2002 2003 2004
2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016
2017 2018 2019 2020 2021 2022 2023 3000 3001 3002 3003 3004
3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016
3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027 3028
3029 3030 3031 3032 3033 3034 3035 3036 3037 3038 3039 3040
3043 5001 5002 5003 5004 5005 5006 5007 5008 5009 5010 5011
5013 5022 5023 5024 5025 5026 5034 5035 5036 5037 5038 5039
5043 5044

VTD: 235SOUTH - SOUTH PRECINCT

950200:

4000 4001 4002 4003 4004 4005 4010 4011 4012 4013 4017 4018
4020 4021 4022 4023 4024 4027 4030 4031 4042 4047 4049