

Senate Bill 238

By: Senators Loudermilk of the 14th, Albers of the 56th and Beach of the 21st

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act creating a new charter for the City of Nelson, approved April 7, 1992 (Ga.
2 L. 1992, p. 5615), as amended, so as to revise certain provisions relating to the powers and
3 duties of the mayor; to add powers of the city council regarding city employees; to provide
4 for related matters; to repeal conflicting laws; and for other purposes.

5 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

6 **SECTION 1.**

7 An Act creating a new charter for the City of Nelson, approved April 7, 1992 (Ga. L. 1992,
8 p. 5615), as amended, is amended by striking in its entirety Section 3.22 and replacing it with
9 a new Section 3.22 to read as follows:

10 "SECTION 3.22.

11 As the chief executive of this city, the mayor shall:

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

13 (2) Prepare and submit to the city council a recommended annual operating budget and
14 recommended capital budget;

15 (3) Submit to the council at least once a year a statement covering the financial
16 conditions of the city and from time to time such other information as the city council
17 may request;

18 (4) Call special meetings of the city council as provided for in Section 3.13;

19 (5) Participate in the discussion of all matters brought before the city council and vote
20 on such matters only in the case of a tie vote;

21 (6) Recommend to the city council such measures relative to the affairs of the city,
22 improvement of the government, and promotion of the welfare of its inhabitants as he
23 may deem expedient;

24 (7) Require any department or agency of the city to submit written reports whenever he
25 deems expedient;

- 26 (8) Sign as a matter of course all written contracts, ordinances, and other instruments
 27 executed by the city which by law are required to be in writing; and
 28 (9) Perform such other duties as may be required by general state law, this charter, or
 29 ordinance."

30 **SECTION 2.**

31 Said Act is further amended by striking in its entirety Section 3.23 and replacing it with a
 32 new Section 3.23 to read as follows:

33 "SECTION 3.23.

34 In addition to the powers and duties otherwise set forth in this charter or required by law,
 35 the city council shall:

- 36 (1) Appoint and remove all officers, department heads, and employees of the city; and
 37 (2) Exercise supervision over all executive and administrative work of city employees
 38 and provide for the coordination of administrative activities by said employees."

39 **SECTION 3.**

40 Said Act is further amended by striking in its entirety Section 4.10 and replacing it with a
 41 new Section 4.10 to read as follows:

42 "SECTION 4.10.

43 Department heads.

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

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

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

53 (d) There shall be a director of each department or agency who shall be its principal
 54 officer. Each director shall, subject to the direction and supervision of the city council, be
 55 responsible for the administration and direction of the affairs and operations of his
 56 department or agency."

57 **SECTION 4.**

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