

House Bill 704

By: Representatives Bruce of the 61<sup>st</sup>, Fludd of the 64<sup>th</sup>, Kaiser of the 59<sup>th</sup>, Lindsey of the 54<sup>th</sup>, Mabra of the 63<sup>rd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To incorporate the City of South Fulton in Fulton County; to provide for a charter for the  
2 City of South Fulton; to provide for incorporation, boundaries, and powers of the city; to  
3 provide for general powers and limitations on powers; to provide for a governing authority  
4 of such city and the powers, duties, authority, election, terms, method of filling vacancies,  
5 compensation, expenses, qualifications, prohibitions, and districts relative to members of  
6 such governing authority; to provide for inquiries and investigations; to provide for  
7 organization and procedures; to provide for ordinances; to provide for the office of mayor  
8 and certain duties and powers relative to the office of mayor; to provide for administrative  
9 responsibilities; to provide for boards, commissions, and authorities; to provide for a chief  
10 administrative officer, a city attorney, a city clerk, a treasurer, a chief city auditor, and other  
11 personnel; to provide for a municipal court and the judge or judges thereof; to provide for  
12 practices and procedures; to provide for ethics and disclosures; to provide for taxation,  
13 licenses, and fees; to provide for franchises, service charges, and assessments; to provide for  
14 bonded and other indebtedness; to provide for accounting and budgeting; to provide for  
15 purchases; to provide for homestead exemptions; to provide for bonds for officials; to  
16 provide for other matters relative to the foregoing; to provide for referenda; to provide for  
17 an automatic repeal; to provide effective dates and transitional provisions governing the  
18 transfer of various functions and responsibilities from Fulton County to the City of South  
19 Fulton; to provide for severability; to repeal conflicting laws; and for other purposes.

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

ARTICLE I

CREATION, INCORPORATION, POWERS

**SECTION 1.01.**

Incorporation.

This Act shall constitute the charter of the City of South Fulton. The City of South Fulton in the County of Fulton, and the inhabitants thereof, are constituted and declared a body politic and corporate under the name and style of the "City of South Fulton" and by that name shall have perpetual succession, may sue and be sued, plead and be impleaded, in all courts of law and equity, and in all actions whatsoever, and may have and use a common seal.

**SECTION 1.02.**

Corporate boundaries.

The boundaries of the City of South Fulton shall include all unincorporated areas of Fulton County including the Fulton County Industrial District as such exist on the effective date of this Act. The boundaries of the city are more particular described in Appendix A, attached to and made a part of this charter. The city clerk shall maintain a current map and written legal description of the corporate boundaries of the city, and such map and description shall incorporate any changes which may hereafter be made in such corporate boundaries.

**SECTION 1.03.**

Powers and construction.

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

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

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

- 53 (2) Appropriations and expenditures. To make appropriations for the support of the  
54 government of the city; to authorize the expenditure of money for any purposes  
55 authorized by this Act and for any purpose for which a municipality is authorized by the  
56 laws of the State of Georgia; and to provide for the payment of expenses of the city;
- 57 (3) Building regulation. To regulate and to license the erection and construction of  
58 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas,  
59 and heating and air conditioning codes; and to regulate all housing and building trades  
60 to the extent permitted by general law;
- 61 (4) Business regulation and taxation. To levy and to provide for the collection of  
62 regulatory fees and taxes on privileges, occupations, trades, and professions as authorized  
63 by Title 48 of the O.C.G.A. or such other applicable laws as are or may hereafter be  
64 enacted; to permit and regulate such fees and taxes; to provide for the manner and method  
65 of payment of such regulatory fees and taxes; and to revoke such permits after due  
66 process for failure to pay any city taxes or fees;
- 67 (5) Condemnation. To condemn property, inside or outside the corporate limits of the  
68 city, for present or future use and for any corporate purpose deemed necessary by the city  
69 council, utilizing procedures enumerated in Title 22 of the O.C.G.A., or such other  
70 applicable laws as are or may hereafter be enacted;
- 71 (6) Contracts. To enter into contracts and agreements with other governmental entities  
72 and with private persons, firms, and corporations;
- 73 (7) Emergencies. To establish procedures for determining and proclaiming that an  
74 emergency situation exists within or outside the city, and to make and carry out all  
75 reasonable provisions deemed necessary to deal with or meet such an emergency for the  
76 protection, safety, health, or well-being of the citizens of the city;
- 77 (8) Environmental protection. To protect and preserve the natural resources,  
78 environment, and vital areas of the city, this region, and this state through the  
79 preservation and improvement of air quality, the restoration and maintenance of water  
80 resources, the control of erosion and sedimentation, the management of storm water and  
81 establishment of a storm-water utility, the management of solid and hazardous waste, and  
82 other necessary actions for the protection of the environment;
- 83 (9) Ethics. To adopt ethics ordinances and regulations governing the conduct of  
84 municipal elected officials, appointed officials, and employees, establishing procedures  
85 for ethics complaints and setting forth penalties for violations of such rules and  
86 procedures;
- 87 (10) Fire regulations. To fix and establish fire limits and from time to time to extend,  
88 enlarge, or restrict such limits, to prescribe fire safety regulations not inconsistent with

- 89 general law, relating to both fire prevention and detection and to fire fighting; and to  
90 prescribe penalties and punishment for violations thereof;
- 91 (11) Garbage fees. To levy, fix, assess, and collect a garbage, refuse, and trash collection  
92 and disposal and other sanitary service charge, tax, or fee for such services as may be  
93 necessary in the operation of the city from all individuals, firms, and corporations  
94 residing in or doing business therein benefiting from such services; to enforce the  
95 payment of such charges, taxes, or fees; and to provide for the manner and method of  
96 collecting such service charges;
- 97 (12) General health, safety, and welfare. To define, regulate, and prohibit any act,  
98 practice, conduct, or use of property which is detrimental to the health, sanitation,  
99 cleanliness, welfare, and safety of the inhabitants of the city, and to provide for the  
100 enforcement of such standards;
- 101 (13) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for  
102 any purpose related to powers and duties of the city and the general welfare of its  
103 citizens, on such terms and conditions as the donor or grantor may impose;
- 104 (14) Health and sanitation. To prescribe standards of health and sanitation and to  
105 provide for the enforcement of such standards;
- 106 (15) Jail sentences. To provide that persons given jail sentences in the city's court may  
107 work out such sentences in any public works or on the streets, roads, drains, and other  
108 public property of the city; to provide for commitment of such persons to any jail; to  
109 provide for the use of pretrial diversion and any alternative sentencing allowed by law;  
110 or to provide for commitment of such persons to any county work camp or county jail by  
111 agreement with the appropriate county officials;
- 112 (16) Motor vehicles. To regulate the operation of motor vehicles and exercise control  
113 over all traffic, including parking upon or across the streets, roads, alleys, and walkways  
114 of the city;
- 115 (17) Municipal agencies and delegation of power. To create, alter, or abolish  
116 departments, boards, offices, commissions, and agencies of the city, and to confer upon  
117 such agencies the necessary and appropriate authority for carrying out all the powers  
118 conferred upon or delegated to them;
- 119 (18) Municipal debts. To appropriate and borrow money for the payment of debts of the  
120 city and to issue bonds for the purpose of raising revenue to carry out any project,  
121 program, or venture authorized by this Act or the laws of the State of Georgia;
- 122 (19) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or  
123 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or  
124 outside the property limits of the city;

- 125 (20) Municipal property protection. To provide for the preservation and protection of  
126 property and equipment of the city and their administration and use by the public; and to  
127 prescribe penalties and punishment for violations thereof;
- 128 (21) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose  
129 of public utilities, including but not limited to a system of waterworks, sewers and drains,  
130 sewage disposal, storm-water management, gas works, electric light plants, cable  
131 television and other telecommunications, transportation facilities, public airports, and any  
132 other public utility; to fix taxes, charges, rates, fares, fees, assessments, regulations, and  
133 penalties; and to provide for the withdrawal of service for refusal or failure to pay them;
- 134 (22) Nuisance. To define a nuisance and provide for its abatement whether on public or  
135 private property;
- 136 (23) Penalties. To provide penalties for violation of any ordinances adopted pursuant to  
137 the authority of this Act and the laws of the State of Georgia;
- 138 (24) Planning and zoning. To provide comprehensive city planning for development by  
139 zoning; and to provide subdivision regulation and the like as the city council deems  
140 necessary and reasonable to ensure a safe, healthy, and esthetically pleasing community;
- 141 (25) Police and fire protection. To exercise the power of arrest through duly appointed  
142 police officers; and to establish, operate, or contract for a police and a fire-fighting  
143 agency;
- 144 (26) Public hazards: removal. To provide for the destruction and removal of any  
145 building or other structure which is or may become dangerous or detrimental to the  
146 public;
- 147 (27) Public improvements. To provide for the acquisition, construction, building,  
148 operation, and maintenance of public ways, parks and playgrounds, recreational facilities,  
149 cemeteries, public buildings, libraries, public housing, parking facilities, or charitable,  
150 cultural, educational, recreational, conservation, sport, detentional, penal, and medical  
151 institutions, agencies, and facilities; and to provide any other public improvements inside  
152 or outside the corporate limits of the city and to regulate the use of public improvements;  
153 and for such purposes, property may be acquired by condemnation under Title 22 of the  
154 O.C.G.A., or such other applicable laws as are or may hereafter be enacted;
- 155 (28) Public peace. To provide for the prevention and punishment of loitering, disorderly  
156 conduct, drunkenness, riots, and public disturbances;
- 157 (29) Public transportation. To organize and operate such public transportation systems  
158 as are deemed beneficial;
- 159 (30) Public utilities and services. To grant franchises or make contracts for, or impose  
160 taxes on, public utilities and public service companies; and to prescribe the rates, fares,  
161 regulations, and standards and conditions of service applicable to the service to be

162 provided by the franchise grantee or contractor, insofar as not in conflict with valid  
163 regulations of the Public Service Commission;

164 (31) Regulation of roadside areas. To prohibit or regulate and control the erection,  
165 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any  
166 and all other structures or obstructions upon or adjacent to the rights of way of streets and  
167 roads or within view thereof within or abutting the corporate limits of the city; and to  
168 prescribe penalties and punishment for violation of such ordinances;

169 (32) Retirement. To provide and maintain a retirement plan for officers and employees  
170 of the city;

171 (33) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade  
172 of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise  
173 improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and  
174 walkways within the corporate limits of the city; to grant franchises and rights of way  
175 throughout the streets and roads and over the bridges and viaducts for the use of public  
176 utilities; and to require real estate owners to repair and maintain in a safe condition the  
177 sidewalks adjoining their lots or lands and to impose penalties for failure to do so;

178 (34) Sewer fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring,  
179 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant  
180 and sewerage system, and to levy on those to whom sewers and sewerage systems are  
181 made available a sewer service fee, charge, or sewer tax for the availability or use of the  
182 sewers; to provide for the manner and method of collecting and for enforcing payment  
183 of such service charges; and to charge, impose, and collect a sewer connection fee or fees  
184 to those connected with the system;

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

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

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

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

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

199 (40) Urban redevelopment. To organize and operate an urban redevelopment program;  
 200 and  
 201 (41) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,  
 202 and immunities necessary or desirable to promote or protect the safety, health, peace,  
 203 security, good order, comfort, convenience, or general welfare of the city and its  
 204 inhabitants; to exercise all implied powers necessary or desirable to carry into execution  
 205 all powers granted in this Act as fully and completely as if such powers were fully stated  
 206 herein; and to exercise all powers now or in the future authorized to be exercised by other  
 207 municipal governments under other laws of the State of Georgia; and any listing of  
 208 particular powers in this Act shall not be held to be exclusive of others or restrictive of  
 209 general words and phrases granting powers, but shall be held to be in addition to such  
 210 powers unless expressly prohibited to municipalities under the Constitution or applicable  
 211 laws of the State of Georgia.

212 **SECTION 1.04.**

213 Exercise of powers.

214 All powers, functions, rights, privileges, and immunities of the city and its officers, agencies,  
 215 or employees shall be carried into execution as provided by this Act. If this Act makes no  
 216 provision, such shall be carried into execution as provided by ordinance or as provided by  
 217 pertinent laws of the State of Georgia.

218 **ARTICLE II**

219 **GOVERNMENT STRUCTURE, ELECTIONS,**  
 220 **AND LEGISLATIVE BRANCH**

221 **SECTION 2.01.**

222 City council creation; number; election.

223 (a) The legislative authority of the government of the City of South Fulton, except as  
 224 otherwise specifically provided in this Act, shall be vested in a city council to be composed  
 225 of a president of city council and seven district councilmembers.

226 (b) The mayor and president of city council shall be elected by a majority vote of the  
 227 qualified electors of the city at large voting at the elections of the city.

228 (c) Each councilmember shall be elected by a majority vote of the qualified electors of his  
 229 or her respective council district voting at the elections of the city. For the purpose of  
 230 electing the seven councilmembers, there shall be seven council districts, designated Council  
 231 Districts 1 through 7, as described in Appendix B of this Act and the accompanying

232 Redistricting Plan Components Report, which are attached to and made a part of the charter  
233 of the City of South Fulton. Each person desiring to offer as a candidate for councilmember  
234 shall designate the council district for which he or she is offering.

235 **SECTION 2.02.**

236 Mayor, president of city council, and city  
237 councilmembers; election, terms, and qualifications for office.

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

251 (b) The first general municipal elections shall be held on the Tuesday next following the first  
252 Monday in November, 2014. Thereafter, general municipal elections shall be held on the  
253 Tuesday next following the first Monday in November in each odd-numbered year following  
254 the year in which such first municipal election is held.

255 (c) The first mayor, president of city council, and the initial councilmembers shall take  
256 office on the first day of January, 2015, following the first municipal election provided for  
257 in subsection (b) of this section. The mayor, president of city council, and councilmembers  
258 serving Council Districts 1, 3, 5, and 7 shall serve initial terms of three years. The  
259 councilmembers serving Council Districts 2, 4, and 6 shall serve initial terms of one year.  
260 Their successors shall be elected at the municipal election immediately preceding the  
261 expiration of their terms and shall take office on January 1 for terms of four years. No  
262 person shall serve as mayor for more than two consecutive terms, but a former mayor may  
263 again serve as mayor after the expiration of four years after leaving office.



264

**SECTION 2.03.**

265

President of the city council; appointment; duties.

266 (a) The president of the city council shall be elected by a majority of qualified electors of  
267 the city.

268 (b) The president of the city council shall:

269 (1) Preside at all meetings of the city council;

270 (2) Vote on any motion, resolution, ordinance, or other question before the council only  
271 as provided in Section 2.11 of this Act and vote on any matter before a committee on  
272 which he or she serves;

273 (3) Appoint councilmembers to oversee and report on the functions of the various  
274 departments of the city;

275 (4) Prepare or have prepared an agenda for each meeting of the city council which shall  
276 include all business submitted by the mayor, any councilmember, and the city attorney;  
277 and

278 (5) Appoint the city clerk, subject to council approval.

279

**SECTION 2.04.**

280

Vacancy; filling of vacancies; suspensions.

281 The office of mayor, president of city council, or councilmember shall become vacant upon  
282 the incumbent's death, resignation, forfeiture of office, or removal from office in any manner  
283 authorized by this Act or the general laws of the State of Georgia. A vacancy in the office  
284 of mayor, president of city council, or councilmember shall be filled for the remainder of the  
285 unexpired term by a special election if such vacancy occurs 12 months or more prior to the  
286 expiration of the term of that office. If such vacancy occurs within 12 months of the  
287 expiration of the term of that office, the city council or those members remaining shall  
288 appoint a successor for the remainder of the term. If a vacancy occurs within 12 months of  
289 the expiration of the term for mayor, the president of city council shall fill the vacancy for  
290 the remainder of the term. If a vacancy occurs within 12 months of the expiration of the term  
291 for president of city council, those remaining on the city council shall appoint a successor for  
292 the remainder of the term. This provision shall also apply to a temporary vacancy created  
293 by the suspension from office of the mayor, president of city council, or any councilmember.

294 **SECTION 2.05.**

295 Nonpartisan elections.

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

298 **SECTION 2.06.**

299 Election by majority vote.

300 The candidates for mayor, president of city council, and councilmember who receive a  
301 majority of the votes cast in the applicable election shall be elected to a term of office. In the  
302 event no candidate receives a majority of the votes cast in such election, a run-off election  
303 shall be held between the candidates receiving the two highest number of votes. Such runoff  
304 shall be held at the time specified by state election law, unless such run-off date is postponed  
305 by court order.

306 **SECTION 2.07.**

307 Applicability of general laws; qualifying; other provisions.

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

314 **SECTION 2.08.**

315 Compensation and expenses.

316 The annual salary of the mayor shall be \$65,000.00. The annual salary for each  
317 councilmember shall be \$17,500.00. The annual salary for the president of the city council  
318 shall be \$28,500.00. Such salaries shall be paid from municipal funds in equal monthly  
319 installments. The city council may provide by ordinance for the provision of insurance,  
320 retirement, workers' compensation, and other employee benefits to the mayor, president of  
321 city council, and members of the city council and may provide by ordinance for the  
322 reimbursement of expenses actually and necessarily incurred by the mayor, president of city  
323 council, and members of the city council in carrying out their official duties.

324

**SECTION 2.09.**

325

Inquiries and investigations.

326 The city council may make inquiries and investigations into the affairs of the city and  
 327 conduct of any department, office, or agency thereof and for this purpose may subpoena  
 328 witnesses, administer oaths, take testimony, and require the production of evidence. Any  
 329 person who fails or refuses to obey a lawful order issued in the exercise of these powers by  
 330 the city council shall be punished as may be provided by ordinance.

331

**SECTION 2.10.**

332

Meetings and oath of office.

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

338 "I do solemnly swear or affirm that I will faithfully execute the office of [councilmember,  
 339 mayor, or president of city council, as the case may be] of the City of South Fulton, and  
 340 will to the best of my ability support and defend the Constitution of the United States, the  
 341 Constitution of Georgia, and the Act, ordinances, and regulations of the City of South  
 342 Fulton. I am not the holder of any unaccounted for public money due this state or any  
 343 political subdivision or authority thereof. I am not the holder of any office of trust under  
 344 the government of the United States, any other state, or any foreign state which I by the  
 345 laws of the State of Georgia am prohibited from holding. I am otherwise qualified to  
 346 hold this office according to the Constitution and laws of Georgia. I have been a resident  
 347 of my district and the City of South Fulton for the time required by the Constitution and  
 348 laws of this state and by the municipal charter. I will perform the duties of my office in  
 349 the best interest of the City of South Fulton to the best of my ability without fear, favor,  
 350 affection, reward, or expectation thereof."

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

355 (c) Special meetings of the council may be held on the call of the mayor, president of city  
 356 council, or four members of the council. Notice of such special meetings shall be delivered  
 357 to all members of the city council, president of city council, and mayor personally, by

358 registered mail, or by electronic means, at least 24 hours in advance of the meeting. Such  
359 notice to councilmembers shall not be required if the mayor, president of city council, and  
360 all councilmembers are present when the special meeting is called. Such notice of any  
361 special meeting may be waived by the mayor, president of city council, or a councilmember  
362 in writing before or after such a meeting and attendance at the meeting shall also constitute  
363 a waiver of notice. The notice of such special meeting shall state what business is to be  
364 transacted at the special meeting. Only the business stated in the call may be transacted at  
365 the special meeting.

366 **SECTION 2.11.**

367 Quorum; voting.

368 Five councilmembers shall constitute a quorum and shall be authorized to transact business  
369 for the city council. Voting on the adoption of ordinances shall be taken by voice vote and  
370 the yeas and nays shall be recorded in the minutes, but, on the request of any councilmember  
371 there, shall be a roll-call vote. In order for any ordinance, resolution, motion, or other action  
372 of the city council to be adopted, the measure shall receive at least four affirmative votes and  
373 shall receive the affirmative votes of a majority of those voting. No member of the city  
374 council shall abstain from voting on any matter properly brought before the council for  
375 official action except when such member of council has a conflict of interest which is  
376 disclosed in writing prior to or at the meeting and made a part of the minutes. Any member  
377 of the city council present and eligible to vote on a matter and refusing to do so for any  
378 reason other than a properly disclosed and recorded conflict of interest shall be deemed to  
379 have acquiesced or concurred with the members of the majority who did vote on the question  
380 involved. The president of city council shall vote only in the case of a tie or in the case  
381 where his or her vote will provide the affirmative vote required for approval of a matter.

382 **SECTION 2.12.**

383 General power and authority of the city council.

384 (a) Except as otherwise provided by law or by this Act, the city council shall be vested with  
385 all the powers of government of the City of South Fulton as provided by Article I of this Act.

386 (b) In addition to all other powers conferred upon it by law, the city council shall have the  
387 authority to adopt and provide for the execution of such ordinances, resolutions, rules, and  
388 regulations, not inconsistent with this Act and the Constitution and the laws of the State of  
389 Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order,  
390 protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity,

391 or well-being of the inhabitants of the City of South Fulton and may enforce such ordinances  
 392 by imposing penalties for violation thereof.

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

### 397 **SECTION 2.13.**

#### 398 Administrative and service departments.

399 (a) The city council, by ordinance, may establish, abolish, merge, or consolidate offices,  
 400 positions of employment, departments, and agencies of the city as it shall deem necessary for  
 401 the proper administration of the affairs and government of the city. The city council shall  
 402 prescribe the functions and duties of existing departments, offices, and agencies or of any  
 403 departments, offices, and agencies hereinafter created or established; may provide that the  
 404 same person shall fill any number of offices and positions of employment; and may transfer  
 405 or change the functions and duties of offices, positions of employment, departments, and  
 406 agencies of the city.

407 (b) The operations and responsibilities of each department now or hereafter established in  
 408 the city shall be distributed among such divisions or bureaus as may be provided by  
 409 ordinance of the city council. Each department shall consist of such officers, employees, and  
 410 positions as may be provided by this Act or by ordinance and shall be subject to the general  
 411 supervision and guidance of the mayor and council.

### 412 **SECTION 2.14.**

#### 413 Boards, commissions, and authorities.

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

418 (b) No member of any board, commission, or authority of the city shall hold any elective  
 419 office in the city. The president of city council, councilmembers, and mayor, however, may  
 420 serve as voting ex officio members of such boards, commissions, or authorities.

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

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

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

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

432 (g) Except as otherwise provided by this Act or by applicable state law, each board,  
 433 commission, or authority of the city government shall elect one of its members as  
 434 chairperson and one member as vice chairperson for terms of one year and may elect as its  
 435 secretary one of its own members or may appoint as secretary an employee of the city. Each  
 436 board, commission, or authority of the city government may establish such bylaws, rules, and  
 437 regulations not inconsistent with this Act, ordinances of the city, or applicable state law as  
 438 it deems appropriate and necessary for the conduct of its affairs, copies of which shall be  
 439 filed with the designated officer of the city.

#### 440 **SECTION 2.15.**

441 Ordinance form; procedures.

442 Every proposed ordinance and resolution shall be introduced in writing and the city council  
 443 shall have the authority to approve, disapprove, or amend them. A resolution may be passed  
 444 at the time it is offered, but an ordinance shall not be adopted until the title of such ordinance  
 445 shall have been read at two city council meetings, provided that the beginnings of such  
 446 meetings shall be not less than 24 hours nor more than 60 days apart. This requirement of  
 447 two readings shall not apply to emergency ordinances or to ordinances adopted at the first  
 448 business meeting of the city council in a calendar year.

#### 449 **SECTION 2.16.**

450 Submission of ordinances to the mayor.

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

455 (b) The veto must be exercised no later than the next regular city council meeting following  
 456 the meeting at which the action was taken. If an action is disapproved, the president of the

457 city council shall submit to the council a written statement of the reasons for the mayor's  
458 veto.

459 (c) An action vetoed by the mayor shall automatically be placed on the agenda at the next  
460 regular meeting of the city council for reconsideration. If the minimum number of  
461 councilmembers necessary to vote on overriding the veto is not present, the action may be  
462 continued until the next meeting at which the minimum number of councilmembers is  
463 present. Such action shall not become effective unless it is readopted by the affirmative  
464 votes of at least five members of council within 60 days of the veto.

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

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

### 473 ARTICLE III

#### 474 EXECUTIVE BRANCH

#### 475 SECTION 3.01.

#### 476 Executive powers and duties of the mayor.

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

483 (b) The mayor shall:

484 (1) Be the head of the city for the purpose of service of process and for ceremonial  
485 purposes and be the official spokesperson for the city and the advocate of policy;

486 (2) Sign as a matter of course on behalf of the city all written and approved contracts,  
487 ordinances, resolutions, and other instruments executed by the city which by law are  
488 required to be in writing;

489 (3) See that all laws and ordinances of the city are faithfully executed;

490 (4) Obtain long and short-term loans in the name of the city when authorized by the city  
491 council to do so;

- 492 (5) Name qualified residents of the city to boards and commissions with approval of the  
493 city council;
- 494 (6) Appoint and employ all necessary employees of the city, provided that excepted from  
495 this power of appointment are those officers and employees who by this Act are  
496 appointed or elected by the city council;
- 497 (7) Remove employees employed by such officer without the consent of the city council  
498 and without assigning any reason therefor;
- 499 (8) Exercise supervision and control of all departments and all divisions created in this  
500 Act or that may hereafter be created by the city council except as otherwise provided in  
501 this Act;
- 502 (9) Recommend to the city council the adoption of such measures as the mayor may  
503 deem necessary or expedient;
- 504 (10) See that all terms and conditions imposed in favor of the city or its inhabitants in  
505 any public utility franchise are faithfully kept and performed and upon knowledge of any  
506 violation thereof to call such violations to the attention of the city attorney, whose duty  
507 it shall be forthwith to take such steps as are necessary to protect and enforce the same;
- 508 (11) Make and execute all lawful contracts on behalf of the city as to matters within such  
509 officer's jurisdiction to the extent that such contracts are funded in the city's budget,  
510 except such as may be otherwise provided by law; provided, however, that no contract  
511 purchase or obligation requiring a budget amendment shall be valid and binding until  
512 after approval of the city council;
- 513 (12) Prepare and submit to the city council, prior to the beginning of each fiscal year, a  
514 budget of proposed expenditures for the ensuing year, showing in as much detail as  
515 practicable the amounts allotted to each department of the city government and the  
516 reasons for such estimated expenditures;
- 517 (13) Keep the city council at all times fully advised as to the financial condition and  
518 needs of the city;
- 519 (14) Make a full written report to the city council on the first of each month, unless  
520 otherwise directed by the city council, showing the operations and expenditures of each  
521 department of the city government for the preceding month, and a synopsis of such  
522 reports shall be published by the clerk of the city;
- 523 (15) Fix all salaries and compensation of city employees in accordance with the city  
524 budget and the city pay and classification plan; and
- 525 (16) Fulfill and perform such other duties as are imposed by this Act and by duly  
526 adopted ordinances.



527 **SECTION 3.02.**

528 Chief administrative officer; appointment, qualification,  
529 and compensation.

530 The mayor may appoint, subject to confirmation by the city council, for an indefinite term  
531 an officer whose title shall be chief administrative officer and the chief administrative officer  
532 shall serve at the pleasure of the mayor and the city council. The chief administrative officer,  
533 if appointed, shall be appointed without regard to political beliefs and solely on the basis of  
534 his or her executive and administrative qualifications with special reference to his or her  
535 educational background and actual experience in, and knowledge of, the duties of office as  
536 hereinafter prescribed.

537

538 **SECTION 3.03.**

539 Chief administrative officer.

540 The chief administrative officer shall devote all of his or her working time and attention to  
541 the affairs of the city and shall be responsible to the mayor and city council for the proper  
542 and efficient administration of the affairs of the city over which such officer has jurisdiction;  
543 provided, however, that the city council may by resolution permit the office of chief  
544 administrative officer to be a part-time position.

545 **SECTION 3.04.**

546 Chief administrative officer; removal.

547 (a) The mayor and city council may remove the chief administrative officer from office in  
548 accordance with the following procedures:

549 (1) The city council shall adopt by affirmative vote of a majority of all its members a  
550 preliminary resolution removing the chief administrative officer and may suspend the  
551 chief administrative officer from duty for a period not to exceed 45 days. A copy of the  
552 resolution shall be delivered promptly to the chief administrative officer.

553 (2) Within five days after a copy of the resolution is delivered to the chief administrative  
554 officer, he or she may file with the council a written request for a public hearing. This  
555 hearing shall be held at a council meeting not earlier than 15 days nor later than 30 days  
556 after the request.

557 (3) The city council may adopt a final resolution of removal, which may be made  
558 effective immediately, by affirmative vote of four of its members at any time after five  
559 days from the date when a copy of the preliminary resolution was delivered to the chief

560 administrative officer, if he or she has not requested a public hearing, or at any time after  
561 the public hearing if he or she has requested one.

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

567 (c) If the chief administrative officer becomes disabled and is unable to carry out the duties  
568 of the office or if the chief administrative officer dies, then an acting chief administrative  
569 officer shall be appointed to perform the duties of the chief administrative officer until the  
570 chief administrative officer's disability is removed or until the chief administrative officer  
571 is replaced. Removal of the chief administrative officer because of disability shall be carried  
572 out in accordance with the provisions of subsection (a) of this section.

### 573 **SECTION 3.05.**

#### 574 Council interference with administration.

575 Except for the purpose of inquiries and investigations under Section 2.09 of this Act, the city  
576 council or its members shall deal with city officers and employees who are subject to the  
577 direction or supervision of the mayor or chief administrative officer solely through the  
578 department heads, and neither the city council nor its members shall give orders to any such  
579 officer or employee, either publicly or privately.

### 580 **SECTION 3.06.**

#### 581 City attorney.

582 The mayor shall nominate and the city council shall confirm by majority vote of the city  
583 council a city attorney, together with such assistant city attorneys as may be deemed  
584 appropriate, and shall provide for the payment of such attorney or attorneys for services  
585 rendered to the city. The city attorney shall be responsible for representing and defending  
586 the city in all litigation in which the city is a party; may be the prosecuting officer in the  
587 municipal court; shall attend the meetings of the city council as directed; shall advise the city  
588 council, mayor, other officers, and employees of the city concerning legal aspects of the  
589 city's affairs; and shall perform such other duties as may be required by virtue of his or her  
590 position as city attorney. The city attorney shall review all contracts of the city but shall not  
591 have the power to bind the city.

592 **SECTION 3.07.**

593 City clerk.

594 The president of the city council shall appoint a city clerk, subject to confirmation by  
595 majority vote of the city council, to keep a journal of the proceedings of the city council; to  
596 maintain in a safe place all records and documents pertaining to the affairs of the city; to  
597 perform such duties as may be required by law or ordinance or as the president of the city  
598 council may direct; and to issue licenses as permitted by laws of the State of Georgia and  
599 municipal law.

600 **SECTION 3.08.**

601 City treasurer.

602 (a) The mayor may appoint a city treasurer subject to the approval of the city council. The  
603 city treasurer shall collect all taxes, licenses, fees, and other moneys belonging to the city  
604 subject to the provisions of this Act and the ordinances of the city; and the tax collector shall  
605 diligently comply with and enforce all general laws of the State of Georgia relating to the  
606 collection, sale, or foreclosure of taxes by municipalities.

607 (b) The city treasurer shall be responsible for the collection, receipt, care, and custody of all  
608 taxes and other moneys due the city, except as otherwise provided by law. The city treasurer  
609 shall be responsible to deposit all moneys received in the manner set forth in state law. The  
610 city treasurer shall be responsible, upon authorization by warrant of the chief city auditor, as  
611 the case may be, for payment of all vouchers, claims, payroll, and other authorized  
612 disbursements. The city treasurer shall perform such other services as authorized by state  
613 law, and as otherwise conferred by a resolution, ordinance, or local law duly enacted by the  
614 city council, not inconsistent with state law.

615 (c) The city treasurer shall be responsible for making all temporary investments of city funds  
616 as authorized by law.

617 (d) The city treasurer shall be the city's chief fiscal officer, and shall have such investment  
618 and debt management authority as is authorized by state law and as is otherwise conferred  
619 by resolution, ordinance, or local law duly enacted by the city council, not inconsistent with  
620 state law.

621

**SECTION 3.09.**

622

Office of Audit and Control.

623 (a) There shall be an Office of Audit and Control to be headed by a chief city auditor, who  
624 shall be appointed by the mayor subject to the approval of the city council. The principal  
625 duties of this office shall be to conduct internal performance audits of all city departments  
626 and offices; to audit all investments made by the city treasurer on behalf of the city; and to  
627 warrant as valid all accounts payable and claims prior to their payment by the city treasurer.

628 (b) The chief city auditor shall prepare and present such reports as are consistent with the  
629 duties enumerated herein as required by resolution, ordinance, or local law duly enacted by  
630 the city council.

631

**SECTION 3.10.**

632

Consolidation of functions.

633 The mayor, with the approval of the city council, may consolidate any two or more of the  
634 appointed positions of city departments other than the Office of Audit and Control and the  
635 city treasurer or may assign the functions of any one or more of such positions to the holder  
636 or holders of any other positions. The mayor may also, with the approval of the city council,  
637 perform all or any part of the functions of any of the positions or offices in lieu of the  
638 appointment of other persons to perform them.

639

**SECTION 3.11.**

640

Position classification and pay plans; employment at will.

641 The mayor shall be responsible for the preparation of a position classification and a pay plan  
642 which shall be submitted to the city council for approval. Such plan shall apply to all  
643 employees of the City of South Fulton and any of its agencies and offices. When a pay plan  
644 has been adopted by the city council, neither the city council nor the mayor shall increase or  
645 decrease the salaries of individual employees except in conformity with such pay plan or  
646 pursuant to an amendment of such pay plan duly adopted by the city council. Except as  
647 otherwise provided in this Act, all employees of the city shall be subject to removal or  
648 discharge, with or without cause, at any time.

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ARTICLE IV  
MUNICIPAL COURT  
**SECTION 4.01.**  
Creation.

653 There is established a court to be known as the Municipal Court of the City of South Fulton  
654 which shall have jurisdiction and authority to try offenses against the laws and ordinances  
655 of such city and to punish for violations of such laws and ordinances. Such court shall have  
656 the power to enforce its judgments by the imposition of such penalties as may be provided  
657 by law, including ordinances of the city; to punish witnesses for nonattendance and to punish  
658 also any person who may counsel or advise, aid, encourage, or persuade another whose  
659 testimony is desired or material in any proceeding before such court to go or move beyond  
660 the reach of the process of the court; to try all offenses within the territorial limits of the city  
661 constituting traffic cases which, under the laws of the State of Georgia, are placed within the  
662 jurisdiction of municipal courts to the extent of, and in accordance with, the provisions of  
663 such laws and all laws subsequently enacted amendatory thereof. The municipal court shall  
664 be presided over by the judge of such court. In the absence or disqualification of the judge,  
665 the judge pro tempore shall preside and shall exercise the same powers and duties as the  
666 judge when so acting.

667  
668

**SECTION 4.02.**  
Judge.

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

673 (b) The judge pro tempore shall serve as requested by the judge, shall have the same  
674 qualifications as the judge, shall be appointed by resolution of the city council, and shall take  
675 the same oath as the judge.

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

681 (d) The judge or judge pro tempore shall serve for a term of four years but may be removed  
 682 from the position by a two-thirds' vote of the entire membership of the city council or upon  
 683 action taken by the State Judicial Qualifications Commission for:

- 684 (1) Willful misconduct in office;
- 685 (2) Willful and persistent failure to perform duties;
- 686 (3) Habitual intemperance;
- 687 (4) Conduct prejudicial to the administration of justice which brings the judicial office  
 688 into disrepute; or
- 689 (5) Disability seriously interfering with the performance of duties, which is, or is likely  
 690 to become, of a permanent character.

691 **SECTION 4.03.**

692 Convening.

693 Such court shall be convened at such times as designated by ordinance or at such times as  
 694 deemed necessary by the judge to keep current the dockets thereof.

695 **SECTION 4.04.**

696 Jurisdiction; powers.

697 (a) The municipal court shall try and punish for crimes against the City of South Fulton and  
 698 for violation of its ordinances. The municipal court shall have authority to punish those in  
 699 its presence for contempt, provided that such punishment shall not exceed \$200.00 or  
 700 imprisonment for 15 days. The municipal court may fix punishment for offenses within its  
 701 jurisdiction to the full extent allowed by state law.

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

704 (c) The municipal court shall have authority to establish bail and recognizances to ensure  
 705 the presence of those charged with violations before such court and shall have discretionary  
 706 authority to accept cash or personal or real property as security for appearances of persons  
 707 charged with violations. Whenever any person shall give bail for his or her appearance and  
 708 shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge  
 709 presiding at such time and an execution issued thereon by serving the defendant and his or  
 710 her sureties with a rule nisi at least two days before a hearing on the rule nisi. In the event  
 711 that cash or property is accepted in lieu of bond for security for the appearance of a defendant  
 712 at trial, and if such defendant fails to appear at the time and place fixed for trial, the cash so

713 deposited shall be on order of the judge declared forfeited to the City of South Fulton, or the  
714 property so deposited shall have a lien against it for the value forfeited.

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

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

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

722 (g) The municipal court is specifically vested with all of the judicial jurisdiction and judicial  
723 powers throughout the entire area of the City of South Fulton granted by state laws generally  
724 to municipal courts, and particularly by such laws as authorize the abatement of nuisances.

725 **SECTION 4.05.**

726 Certiorari.

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

731 **SECTION 4.06.**

732 Rules for court.

733 With the approval of the city council, the judge shall have full power and authority to make  
734 reasonable rules and regulations necessary and proper to secure the efficient and successful  
735 administration of the municipal court.

736 **ARTICLE V**

737 **FINANCE AND FISCAL**

738 **SECTION 5.01.**

739 Fiscal year.

740 The council shall set the fiscal year by ordinance. The fiscal year shall constitute the budget  
741 year and the year for financial accounting and reporting of each and every office, department  
742 or institution, agency, and activity of the city government, unless otherwise provided by state  
743 or federal law.

744 **SECTION 5.02.**

745 Preparation of budgets.

746 The city council shall provide, by ordinance, the procedures and requirements for the  
747 preparation and execution of an annual operating budget, a capital improvements program,  
748 and a capital budget, including requirements as to the scope, content, and form of such  
749 budgets and programs.

750 **SECTION 5.03.**

751 Submission of operating budget to city council.

752 On or before a date fixed by the city council, but not later than 30 days prior to the  
753 beginning of each fiscal year, the mayor shall submit to the city council a proposed operating  
754 budget for the ensuing fiscal year. The budget shall be accompanied by a message from the  
755 mayor containing a statement of the general fiscal policies of the city, the important features  
756 of the budget, explanations of major changes recommended for the next fiscal year, a general  
757 summary of the budget, and such other comments and information as he or she may deem  
758 pertinent. The operating budget and the capital improvements budget hereinafter provided  
759 for, the budget message, and all supporting documents shall be filed in the office of the city  
760 clerk and shall be open to public inspection.

761 **SECTION 5.04.**

762 Action by city council on budget.

763 The city council may amend the operating budget proposed by the mayor, except that the  
764 budget, as finally amended and adopted, shall provide for all expenditures required by law,  
765 or by other provisions of this Act, and for all debt service requirements for the ensuing fiscal  
766 year and the total appropriations from any fund shall not exceed the estimated fund balance,  
767 reserves, and revenues, constituting the fund availability of such fund.

768 **SECTION 5.05.**

769 Audits.

770 (a) There shall be an annual independent audit of all city accounts, funds, and financial  
771 transactions by a certified public accountant selected by the city council and supervised by  
772 the chief city auditor. The audit shall be conducted according to generally accepted  
773 accounting principles. Any audit of any funds by the state or federal government may be



774 accepted as satisfying the requirements of this Act. Copies of all audit reports shall be  
775 available at printing cost to the public.

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

778 **SECTION 5.06.**

779 General homestead exemption.

780 (a) As used in this section, the term:

781 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
782 purposes levied by, for, or on behalf of the City of South Fulton, except for any ad  
783 valorem taxes to pay interest on and to retire municipal bonded indebtedness.

784 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
785 the O.C.G.A., as amended.

786 (b) Each resident of the City of South Fulton is granted an exemption on that person's  
787 homestead from City of South Fulton ad valorem taxes for municipal purposes in the amount  
788 of \$30,000.00 of the assessed value of that homestead. The value of that property in excess  
789 of such exempted amount shall remain subject to taxation.

790 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
791 section unless the person or person's agent files an application with the governing authority  
792 of the City of South Fulton, or the designee thereof, giving such information relative to  
793 receiving such exemption as will enable the governing authority of the City of South Fulton,  
794 or the designee thereof, to make a determination regarding the initial and continuing  
795 eligibility of such owner for such exemption. The governing authority of the City of South  
796 Fulton, or the designee thereof, shall provide application forms for this purpose.

797 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
798 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
799 so long as the owner occupies the residence as a homestead. After a person has filed the  
800 proper application as provided in subsection (c) of this section, it shall not be necessary to  
801 make application thereafter for any year and the exemption shall continue to be allowed to  
802 such person. It shall be the duty of any person granted the homestead exemption under  
803 subsection (b) of this section to notify the governing authority of the City of South Fulton,  
804 or the designee thereof, in the event that person for any reason becomes ineligible for such  
805 exemption.

806 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
807 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
808 school district ad valorem taxes for educational purposes. The homestead exemption granted

809 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
810 exemption applicable to municipal ad valorem taxes for municipal purposes.

811 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
812 beginning on or after January 1, 2015.

813 **SECTION 5.07.**

814 General homestead exemption for citizens age 65 or over.

815 (a) As used in this section, the term:

816 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
817 purposes levied by, for, or on behalf of the City of South Fulton except for any ad  
818 valorem taxes to pay interest on and to retire municipal bonded indebtedness.

819 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
820 the O.C.G.A., as amended.

821 (3) "Senior citizen" means a person who is 65 years of age or over on or before January 1  
822 of the year in which application for the exemption under subsection (b) of this section is  
823 made.

824 (b) Each resident of the City of South Fulton who is a senior citizen is granted an exemption  
825 on that person's homestead from City of South Fulton ad valorem taxes for municipal  
826 purposes in the amount of \$15,000.00 of the assessed value of that homestead. The value of  
827 that property in excess of such exempted amount shall remain subject to taxation.

828 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
829 section unless the person or person's agent files an application with the governing authority  
830 of the City of South Fulton, or the designee thereof, giving the person's age and such  
831 additional information relative to receiving such exemption as will enable the governing  
832 authority of the City of South Fulton, or the designee thereof, to make a determination  
833 regarding the initial and continuing eligibility of such owner for such exemption. The  
834 governing authority of the City of South Fulton, or the designee thereof, shall provide  
835 application forms for this purpose.

836 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
837 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
838 so long as the owner occupies the residence as a homestead. After a person has filed the  
839 proper application, as provided in subsection (c) of this section, it shall not be necessary to  
840 make application thereafter for any year and the exemption shall continue to be allowed to  
841 such person. It shall be the duty of any person granted the homestead exemption under  
842 subsection (b) of this section to notify the governing authority of the City of South Fulton,

843 or the designee thereof, in the event that person for any reason becomes ineligible for that  
844 exemption.

845 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
846 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
847 school district ad valorem taxes for educational purposes. The homestead exemption granted  
848 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
849 exemption applicable to municipal ad valorem taxes for municipal purposes.

850 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
851 beginning on or after January 1, 2015.

852 **SECTION 5.08.**

853 Homestead exemption for citizens age 65 or over  
854 meeting certain income requirements.

855 (a) As used in this section, the term:

856 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
857 purposes levied by, for, or on behalf of the City of South Fulton, including, but not  
858 limited to, any ad valorem taxes to pay interest on and to retire municipal bonded  
859 indebtedness.

860 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
861 the O.C.G.A., as amended.

862 (3) "Income" means adjusted gross income as such term is defined in the Internal  
863 Revenue Code of 1986, as such code is defined in Code Section 48-1-2 of the O.C.G.A.,  
864 except that for purposes of this section the term shall include only that portion of income  
865 or benefits received as retirement, survivor, or disability benefits under the federal Social  
866 Security Act or under any other public or private retirement, disability, or pension system  
867 which exceeds the maximum amount which may be received by an individual and an  
868 individual's spouse under the federal Social Security Act.

869 (4) "Senior citizen" means a person who is 65 years of age or over on or before January 1  
870 of the year in which application for the exemption under subsection (b) of this section is  
871 made.

872 (b) Each resident of the City of South Fulton who is a senior citizen is granted an exemption  
873 on that person's homestead from City of South Fulton ad valorem taxes for municipal  
874 purposes in the amount of \$10,000.00 of the assessed value of that homestead. The  
875 exemption granted by this subsection shall only be granted if that person's income, together  
876 with the income of the spouse who also occupies and resides at such homestead, does not  
877 exceed the maximum amount which may be received by an individual and an individual's

878 spouse under the federal Social Security Act for the immediately preceding year. The value  
879 of that property in excess of such exempted amount shall remain subject to taxation.

880 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
881 section unless the person or person's agent files an application with the governing authority  
882 of the City of South Fulton, or the designee thereof, giving the person's age, income, and  
883 such additional information relative to receiving such exemption as will enable the governing  
884 authority of the City of South Fulton, or the designee thereof, to make a determination  
885 regarding the initial and continuing eligibility of such owner for such exemption. The  
886 governing authority of the City of South Fulton, or the designee thereof, shall provide  
887 application forms for this purpose.

888 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
889 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
890 so long as the owner occupies the residence as a homestead. After a person has filed the  
891 proper application, as provided in subsection (c) of this section, it shall not be necessary to  
892 make application thereafter for any year and the exemption shall continue to be allowed to  
893 such person. It shall be the duty of any person granted the homestead exemption under  
894 subsection (b) of this section to notify the governing authority of the City of South Fulton,  
895 or the designee thereof, in the event that person for any reason becomes ineligible for that  
896 exemption.

897 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
898 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
899 school district ad valorem taxes for educational purposes. The homestead exemption granted  
900 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
901 exemption applicable to municipal ad valorem taxes for municipal purposes.

902 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
903 beginning on or after January 1, 2015.

904 **SECTION 5.09.**

905 Homestead exemption for citizens age 70 or over  
906 and disabled persons meeting certain income requirements.

907 (a) As used in this section, the term:

908 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
909 purposes levied by, for, or on behalf of the City of South Fulton, including, but not  
910 limited to, any ad valorem taxes to pay interest on and to retire municipal bonded  
911 indebtedness.

912 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
 913 the O.C.G.A., as amended.

914 (3) "Income" means adjusted gross income determined pursuant to the Internal Revenue  
 915 Code of 1986, as amended, for federal income tax purposes, except that for the purposes  
 916 of this section the term shall include only that portion of income or benefits received as  
 917 retirement, survivor, or disability benefits under the federal Social Security Act or under  
 918 any other public or private retirement, disability, or pension system which exceeds the  
 919 maximum amount which may be received by an individual and an individual's spouse  
 920 under the federal Social Security Act.

921 (4) "Senior citizen" means a person who is 70 years of age or over on or before January 1  
 922 of the year in which application for the exemption under subsection (b) of this section is  
 923 made.

924 (b) Each resident of the City of South Fulton who is a senior citizen or who is disabled is  
 925 granted an exemption on that person's homestead from City of South Fulton ad valorem taxes  
 926 for municipal purposes for the full value of that homestead. The exemption granted by this  
 927 subsection shall only be granted if that person's income, together with the income of the  
 928 spouse who also occupies and resides at such homestead, does not exceed the maximum  
 929 amount which may be received by an individual and an individual's spouse under the federal  
 930 Social Security Act for the immediately preceding year.

931 (c)(1) In order to qualify for the exemption provided for in subsection (b) of this section  
 932 as being disabled, the person claiming such exemption shall be required to obtain a  
 933 certificate from not more than three physicians licensed to practice medicine under  
 934 Chapter 34 of Title 43 of the O.C.G.A., as amended, certifying that in the opinion of such  
 935 physician or physicians such person is mentally or physically incapacitated to the extent  
 936 that such person is unable to be gainfully employed and that such incapacity is likely to  
 937 be permanent. Such certificate or certificates shall constitute part of and be submitted  
 938 with the application provided for in paragraph (2) of this subsection.

939 (2) A person shall not receive the homestead exemption granted by subsection (b) of this  
 940 section unless the person or person's agent files an application with the governing  
 941 authority of the City of South Fulton, or the designee thereof, giving the person's age,  
 942 income, and such additional information relative to receiving such exemption as will  
 943 enable the governing authority of the City of South Fulton, or the designee thereof, to  
 944 make a determination regarding the initial and continuing eligibility of such owner for  
 945 such exemption. The governing authority of the City of South Fulton, or the designee  
 946 thereof, shall provide application forms for this purpose.

947 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
 948 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year

949 so long as the owner occupies the residence as a homestead. After a person has filed the  
 950 proper application, as provided in subsection (c) of this section, it shall not be necessary to  
 951 make application thereafter for any year and the exemption shall continue to be allowed to  
 952 such person. It shall be the duty of any person granted the homestead exemption under  
 953 subsection (b) of this section to notify the governing authority of the City of South Fulton,  
 954 or the designee thereof, in the event that person for any reason becomes ineligible for that  
 955 exemption.

956 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
 957 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
 958 school district ad valorem taxes for educational purposes. The homestead exemption granted  
 959 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
 960 exemption applicable to municipal ad valorem taxes for municipal purposes.

961 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
 962 beginning on or after January 1, 2015.

## 963 ARTICLE VI

### 964 GENERAL PROVISIONS

#### 965 SECTION 6.01.

#### 966 Referendum and initial election.

967 (a) The election superintendent of Fulton County shall call a special election for the purpose  
 968 of submitting this Act to the qualified voters of the proposed City of South Fulton for  
 969 approval or rejection. The superintendent shall set the date of such election for the date of  
 970 the 2014 General Primary. The superintendent shall issue the call for such election at least  
 971 30 days prior to the date thereof. The superintendent shall cause the date and purpose of the  
 972 election to be published once a week for two weeks immediately preceding the date thereof  
 973 in the official organ of Fulton County. The ballot shall have written or printed thereon the  
 974 words:

975 "( ) YES Shall the Act incorporating the City of South Fulton in Fulton County and  
 976 ( ) NO granting the homestead exemptions described therein be approved?"

977 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons  
 978 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes  
 979 cast on such question are for approval of the Act, it shall become of full force and effect as  
 980 provided in Section 6.02 of this Act; otherwise this Act shall not take effect and shall be void  
 981 and of no force and effect. The initial expense of such election shall be borne by Fulton  
 982 County. Within two years after the election if the incorporation is approved, the City of  
 983 South Fulton shall reimburse Fulton County for the actual cost of printing and personnel

984 services for such election and for the initial election of the mayor, president of city council,  
 985 and members of the city council pursuant to subsection (b) of Section 2.02 of this Act. It  
 986 shall be the duty of the superintendent to hold and conduct such election. It shall be his or  
 987 her further duty to certify the result thereof to the Secretary of State.

988 (b) For the purposes of the referendum election provided for in this section and for the  
 989 purposes of the election to be held on the Tuesday next following the first Monday in  
 990 November, 2014, the qualified electors of the City of South Fulton shall be those qualified  
 991 electors of Fulton County residing within the corporate limits of the City of South Fulton as  
 992 described by Appendix A of this Act. At subsequent municipal elections, the qualified  
 993 electors of the City of South Fulton shall be determined pursuant to the authority of  
 994 Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

995 (c) Only for the purposes of holding and conducting the referendum election provided for  
 996 by this section and holding and conducting the election of the mayor, president of city  
 997 council, and city councilmembers of the City of South Fulton to be held on the Tuesday next  
 998 following the first Monday in November, 2014, the election superintendent of Fulton County  
 999 is vested with the powers and duties of the election superintendent of the City of South  
 1000 Fulton and the powers and duties of the governing authority of the City of South Fulton.

1001 **SECTION 6.02.**

1002 Effective dates.

1003 (a) This Act shall become effective upon its approval by the Governor or upon its becoming  
 1004 law without such approval; provided, however, that the provisions of this Act necessary for  
 1005 the election to be held on the next special election date permissible pursuant to the provisions  
 1006 of Code Section 21-2-540 of the O.C.G.A. following the date of the approval of this Act as  
 1007 provided for by Section 6.01 of this Act shall be effective upon the certification of the results  
 1008 of such referendum election.

1009 (b) A period of time will be needed for an orderly transition of various government functions  
 1010 from Fulton County to the City of South Fulton. Accordingly, there shall be a transition  
 1011 period beginning on July 1, 2014, and ending at midnight of the last day of the twenty-fourth  
 1012 month following such date. During such transition period, all provisions of this Act shall be  
 1013 effective as law, but not all provisions of this Act shall be implemented.

1014 (c) During such transition period, Fulton County shall continue to provide within the  
 1015 territorial limits of the City of South Fulton all government services and functions which  
 1016 Fulton County provided in that area as of the date of enactment of this Act, except to the  
 1017 extent otherwise provided in this section; provided, however, that by agreement of Fulton  
 1018 County and the City of South Fulton responsibility for any such service or function may be

1019 transferred to the City of South Fulton at such time as may be agreed upon by the parties.  
 1020 Beginning on January 1, 2015, the City of South Fulton shall collect taxes, fees, assessments,  
 1021 fines and forfeitures, and other moneys within the territorial limits of the City of South  
 1022 Fulton; provided, however, that upon at least 30 days' prior written notice to Fulton County  
 1023 by the City of South Fulton, the authority to collect any tax, fee, assessment, fine, forfeiture,  
 1024 or other moneys shall remain with Fulton County after January 1, 2015, until such time as  
 1025 Fulton County receives subsequent notice from the City of South Fulton that such authority  
 1026 shall be transferred to the City of South Fulton. Where a particular tax, fee, assessment, fine,  
 1027 forfeiture, or other amount collected is specifically related to the provision of a particular  
 1028 government service or function by Fulton County, the service or function shall continue to  
 1029 be provided by the county contingent upon payment by the city of the actual cost of  
 1030 providing such service or function unless otherwise provided in a written agreement between  
 1031 the city and the county. Any existing contract for the performance of a governmental service  
 1032 with a private person residing or doing business within the city limits shall not be altered or  
 1033 adversely affected by the establishment of this Act of the City of South Fulton.

1034 (d) During the transition period, the governing authority of the City of South Fulton:

- 1035 (1) Shall hold regular meetings and may hold special meetings as provided in this Act;
- 1036 (2) May enact ordinances and resolutions as provided in this Act;
- 1037 (3) May amend this Act by home rule action as provided by general law;
- 1038 (4) May accept gifts and grants;
- 1039 (5) May borrow money and incur indebtedness to the extent authorized by this Act and  
 1040 general law;
- 1041 (6) May levy and collect an ad valorem tax for the calendar year next following the first  
 1042 municipal election;
- 1043 (7) May establish a fiscal year and budget;
- 1044 (8) May create, alter, or abolish departments, boards, offices, commissions, and agencies  
 1045 of the city; appoint and remove officers and employees; and exercise all necessary or  
 1046 appropriate personnel and management functions; and
- 1047 (9) May generally exercise any power granted by this Act or general law, except to the  
 1048 extent that a power is specifically and integrally related to the provision of a  
 1049 governmental service, function, or responsibility not yet provided or carried out by the  
 1050 city.

1051 (e) During the transition period, the Municipal Court of the City of South Fulton shall  
 1052 exercise its jurisdiction to the extent appropriate with respect to the government services and  
 1053 functions performed by the City of South Fulton and the appropriate court or courts of Fulton  
 1054 County shall retain jurisdiction over the area incorporated as the City of South Fulton with  
 1055 respect to government services and functions performed by Fulton County. Any transfer of



1056 jurisdiction to the City of South Fulton at the beginning of, during, at the end of, or after the  
 1057 transition period shall not in and of itself abate any judicial proceeding pending in Fulton  
 1058 County or the pending prosecution of any violation of any ordinance of Fulton County.

1059 (f) During the transition period, the governing authority of South Fulton may at any time,  
 1060 without the necessity of any agreement by Fulton County, commence to exercise its planning  
 1061 and zoning powers; provided, however, that the city shall give the county at least 30 days'  
 1062 written notice of the date on which the city will assume the exercise of such powers. Upon  
 1063 the governing authority of South Fulton commencing to exercise its planning and zoning  
 1064 powers, the Municipal Court of the City of South Fulton shall immediately have jurisdiction  
 1065 to enforce the planning and zoning ordinances of the city. The provisions of this subsection  
 1066 shall control over any conflicting provisions of any other subsection of this section.

1067 (g) Effective upon the termination of the transition period, subsections (c) through (f) of this  
 1068 section shall cease to apply except for the last sentence of subsection (e) which shall remain  
 1069 effective. Effective upon the termination of the transition period, the City of South Fulton  
 1070 shall be a fully functioning municipal corporation and subject to all general laws of this state.

### 1071 **SECTION 6.03.**

#### 1072 Catchlines.

1073 The catchlines of sections of this Act or any ordinance printed in boldface type, italics, or  
 1074 otherwise, are intended as mere catchwords to indicate the contents of the section and:

1075 (1) Shall not be deemed or taken to be titles of such sections or as any part of the section;  
 1076 and

1077 (2) Shall not be so deemed when any of such sections, including the catchlines, are  
 1078 amended or reenacted unless expressly provided to the contrary.

1079 Furthermore, the article and section headings contained in this Act shall not be deemed to  
 1080 govern, limit, or modify or in any manner affect the scope, meaning, or intent of the  
 1081 provisions of any article or section hereof.

### 1082 **SECTION 6.04.**

#### 1083 Directory nature of dates.

1084 If it is necessary to delay any action called for in this Act for providential cause or any other  
 1085 reason, it is the intention of the General Assembly that the action be delayed rather than  
 1086 abandoned. Any delay in performing any action under this Act, whether for cause or  
 1087 otherwise, shall not operate to frustrate the overall intent of this Act. Without limiting the  
 1088 generality of the foregoing, it is specifically provided that:

1089 (1) If it is not possible to hold the referendum election provided for in Section 6.01 of  
 1090 this Act on the date specified in that section, then such referendum shall be held as soon  
 1091 after such date as is reasonably practicable; and

1092 (2) If it is not possible to hold the first regular municipal election provided for in  
 1093 Section 2.02 of this Act on the date specified in that section, then there shall be a special  
 1094 election for the initial members of the governing authority to be held as soon thereafter  
 1095 as is reasonably practicable, and the commencement of the initial terms of office shall be  
 1096 delayed accordingly.

1097 **SECTION 6.05.**

1098 Severability.

1099 In the event any section, subsection, sentence, clause, or phrase of this Act shall be  
 1100 declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect  
 1101 the other sections, subsections, sentences, clauses, or phrases of this Act, which shall remain  
 1102 of full force and effect, as if the section, subsection, sentence, clause, or phrase so declared  
 1103 or adjudged invalid or unconstitutional were not originally a part hereof. The General  
 1104 Assembly hereby declares that it would have passed the remaining parts of this Act if it had  
 1105 known that such part or parts hereof would be declared or adjudged invalid or  
 1106 unconstitutional.

1107 **SECTION 6.06.**

1108 Repealer.

1109 All laws and parts of laws in conflict with this Act are repealed.

1110 **APPENDIX A**

1111 The City of South Fulton shall include all the territory embraced within the following census  
 1112 blocks based upon the 2010 United States decennial census:

1113 Fulton County

1114 VTD: 12109B - 09B

1115 008202:

1116 4002

1117 VTD: 12111E4 - 11E4

1118 007706:

1119 2028

1120 VTD: 121CP08B - CP08B  
 1121 010511:  
 1122 2004  
 1123 VTD: 121EP08A - EP08A  
 1124 011305:  
 1125 3015 3017  
 1126 011306:  
 1127 1031 2008 2018 2021  
 1128 VTD: 121FA01A - FA01A  
 1129 010400:  
 1130 3064 3066 3078 3079 3087 3099  
 1131 010514:  
 1132 2051 2078 2086 2100 2101 2102  
 1133 VTD: 121FA01B - FA01B  
 1134 010510:  
 1135 3126  
 1136 VTD: 121SC01 - SC01  
 1137 VTD: 121SC02 - SC02  
 1138 VTD: 121SC04 - SC04  
 1139 VTD: 121SC05 - SC05  
 1140 VTD: 121SC07 - SC07  
 1141 010304:  
 1142 2087 2103 2105 2106 2107 2108 2109 2112  
 1143 010400:  
 1144 3000 3003 3005 3006 3008 3009 3011 3012 3013 3014 3017 3019  
 1145 3021 3028 3029 3042 3043 3053 3054 3065 3080  
 1146 010513:  
 1147 1021 1022 1043 1044 1045 1048 1049 1050 1051 1052 1055 1060  
 1148 1061 1062 1078 1098 1119 2022 2024 2029 2030 2056 3045  
 1149 010514:  
 1150 1002 1003 1004 1005 1006 1012 1013 1014 1017 1019 1021 1022  
 1151 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034  
 1152 1036 1037 1043 1044 1046 1051 1054 1055 1056 1057 1059 1061  
 1153 1062 1063 1065 1066 1067 1073 1087 1088 1089 2000 2002 2003  
 1154 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015  
 1155 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2028  
 1156 2029 2030 2031 2032 2033 2034 2035 2038 2040 2043 2044 2045

1157 2046 2054 2055 2057 2059 2060 2061 2068 2071 2072 2073 2074  
 1158 2075 2076 2077 2080 2085 2087 2091 2094 2098 2108 2109 2110  
 1159 2111 3055 3056 3079 3080  
 1160 VTD: 121SC08 - SC08  
 1161 010507:  
 1162 3066  
 1163 010510:  
 1164 2003 4000 4001 4009  
 1165 010511:  
 1166 1033 1034 1035 1036 1037 1038 1039 1040 1041 1043 1045 1046  
 1167 1047 1048 1049 1061 1062 2005 2006 2008 2009 2010 2011 2012  
 1168 2013 2014 2015 2017 2018 2019 2020 2021 2024 2027 2028 2029  
 1169 2030 2031 2032 2033 2034 2036 2037 2038 2039 2040 2041 2042  
 1170 2043 2044 2045 2046 2047 2051 2052 2053 2054 2055 2056 2058  
 1171 2062 2064 3000 3001 3002 3003 3004 3005 3008 3011 3012 3013  
 1172 3014 3015  
 1173 010512:  
 1174 1002 1003 1004 1005 1006 1007 1008 1016 1017 1024 1025 2001  
 1175 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2015  
 1176 2019 2020 2035 2036  
 1177 010513:  
 1178 1007 1008 1063 1064 1069 1070 1071 1073 1074 1075 1077 1087  
 1179 1088 1089 1094 1096 1097 1102 1105 1109 1110  
 1180 VTD: 121SC09 - SC09  
 1181 VTD: 121SC10 - SC10  
 1182 010507:  
 1183 1006 1008 2001 2002 2003 2004 2005 2006 2007 3037 3055 3056  
 1184 3057 3059 3060 3067 3068  
 1185 010511:  
 1186 2066  
 1187 VTD: 121SC11 - SC11  
 1188 VTD: 121SC13A - SC13A  
 1189 VTD: 121SC13B - SC13B  
 1190 010301:  
 1191 1016 1017 1018 1026 1027 1028 1029 1030 1031 1032 1049 1050  
 1192 1051 1052 1053 1056 1057 1058 1062 1063 1064 1065 1066 1067  
 1193 1068 1083 1084 1085 1086 1087 1088 1089 1090 1091 1092 1093

1194 1097 1098 1099 1100 1101 1102 1103 1104 1105 1106 1110 1115  
 1195 1116 1119 1123 1137  
 1196 VTD: 121SC14 - SC14  
 1197 VTD: 121SC16A - SC16A  
 1198 VTD: 121SC16B - SC16B  
 1199 VTD: 121SC17 - SC17  
 1200 010511:  
 1201 1019 1020 1021 1022 1023 1027 1028 1029 1032 1050 1051 1052  
 1202 1053 1054 1055 1056 1057 1058 1059 1063 1064 1065 1066  
 1203 010513:  
 1204 1001 1005 1016 1030 1031 1032 1037 1038 1039 1041 1042 1103  
 1205 1104 1106 1107 1117  
 1206 VTD: 121SC18 - SC18  
 1207 007706:  
 1208 2007 2014 2017 2018 2019 2020 2021 2023 2029  
 1209 010304:  
 1210 1015 1016 1017 1018 1019 1020 1021 1023 1024 1025 1026 1027  
 1211 1030 1031 1032 1033 1034 1035 1036 2000 2001 2004 2011 2012  
 1212 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024  
 1213 2025 2026 2041 2042 2043 2044 2045 2072 2073 2075 2078 2081  
 1214 2092 2093 2115  
 1215 VTD: 121SC19 - SC19  
 1216 010507:  
 1217 3002 3004 3005 3006 3007 3008 3009 3010 3011 3017 3020 3021  
 1218 3022  
 1219 010511:  
 1220 1012 1013 1015 1016 1018 1024 1025 1026 1030 1031 1067  
 1221 010604:  
 1222 3011 3012 3013 3015 3016  
 1223 011305:  
 1224 3018 3019 3020 3021  
 1225 011306:  
 1226 1011 1012 1032 1033 1034 1036 1038 1039 1040 2019 2020 2025  
 1227 2028 2029 2030 2031 2032 2033 2035 2036 2037 2038 2039  
 1228 VTD: 121SC21 - SC21  
 1229 010510:  
 1230 2019 2020 2021 3002 3010 3011 3012 3013 3015 3016 3017 3026

1231 3027 3028 3029 3031 3034 3036 3037 3038 3039 3042 3043 3044  
 1232 3045 3046 3047 3048 3049 3050 3051 3052 3053 3054 3055 3064  
 1233 3066 3067 3068 3069 3070 3071 3072 3073 3074 3075 3076 3077  
 1234 3078 3079 3080 3082 3083 3085 3086 3087 3088 3089 3091 3096  
 1235 3102 3103 3104 3105 3106 3107 3108 3109 3110 3112 3114 3115  
 1236 3116 3127 3174 3186 3187 3188 3189 3190 3192 3214 3215 3216  
 1237 3217 3220 3221 3222  
 1238 010513:  
 1239 2036  
 1240 010515:  
 1241 1022 1023 1024 1025 1036 1037 1038 1039 1040 1041 1042 1046  
 1242 1048  
 1243 VTD: 121SC23 - SC23  
 1244 VTD: 121SC27 - SC27  
 1245 VTD: 121SC29 - SC29  
 1246 VTD: 121SC30 - SC30  
 1247 007703:  
 1248 3000 3001 3002 3003 3016  
 1249 007704:  
 1250 3005 3006  
 1251 007802:  
 1252 1000 1001 1002 1003 1004 1006 1016 1018 1025 1027 1028 4012  
 1253 007806:  
 1254 2002 2020 2021 2022 2023 2024  
 1255 007900:  
 1256 3017 3018 3019 3038 3042 3051 3052 3058  
 1257 VTD: 121UC02 - UC02  
 1258 010510:  
 1259 3014  
 1260 010513:  
 1261 2037 2057  
 1262 VTD: 121UC03A - UC03A  
 1263 010510:  
 1264 3008

1265

## APPENDIX B

1266 Plan: SF-7dp1

1267 Plan Type: Local

1268 Administrator: HD61

1269 User: bak

1270 District 001

1271 Fulton County

1272 VTD: 12109B - 09B

1273 008202:

1274 4002

1275 VTD: 121SC01 - SC01

1276 007802:

1277 2017

1278 010303:

1279 1000 1001 1002 1003 1004 1014 1015 1016 1017 1018 1019 1020

1280 1040 1041 1043 2049 2050 2051 2053 2054 2055 2056 2057 2058

1281 2059 2060 2061 2062 2063 2064 2065 2070 2081

1282 010304:

1283 1000 1001 1002 1003 1004

1284 VTD: 121SC02 - SC02

1285 VTD: 121SC14 - SC14

1286 VTD: 121SC16A - SC16A

1287 VTD: 121SC16B - SC16B

1288 VTD: 121SC30 - SC30

1289 007703:

1290 3000 3001 3002 3003 3016

1291 007704:

1292 3005 3006

1293 007802:

1294 1000 1001 1002 1003 1004 1006 1016 1018 1025 1027 1028 4012

1295 007806:

1296 2002 2020 2021 2022 2023 2024

1297 007900:

1298 3017 3018 3019 3038 3042 3051 3052 3058

1299 District 002  
 1300 Fulton County  
 1301 VTD: 12111E4 - 11E4  
 1302 007706:  
 1303 2028  
 1304 VTD: 121SC01 - SC01  
 1305 010303:  
 1306 1048 1049 1050 1051  
 1307 010304:  
 1308 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1022 1028  
 1309 1029  
 1310 VTD: 121SC13A - SC13A  
 1311 VTD: 121SC18 - SC18  
 1312 007706:  
 1313 2007 2014 2017 2018 2019 2020 2021 2023 2029  
 1314 010304:  
 1315 1015 1016 1017 1018 1019 1020 1021 1023 1024 1025 1026 1027  
 1316 1030 1031 1032 1033 1034 1035 1036 2000 2001 2016 2017 2018  
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 1502 VTD: 121UC03A - UC03A  
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 1504 3008

1505

## APPENDIX C

1506

## CERTIFICATE AS TO MINIMUM STANDARDS

1507

## FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

1508 I, Representative Roger Bruce, Georgia State Representative from the 61st District and the  
 1509 author of this bill introduced at the 2014 session of the General Assembly of Georgia, which  
 1510 grants an original municipal charter to the City of South Fulton, do hereby certify that this  
 1511 bill is in compliance with the minimum standards required by Chapter 31 of Title 36 of the

1512 O.C.G.A. in that the area embraced within the original incorporation in this bill is in all  
1513 respects in compliance with the minimum standards required by Chapter 31 of Title 36 of the  
1514 O.C.G.A. This certificate is executed to conform to the requirements of Code  
1515 Section 36-31-5 of the O.C.G.A.

1516 So certified this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

1517 Honorable Roger Bruce  
1518 Representative, 61st District  
1519 Georgia State House of Representatives