

The Senate State and Local Governmental Operations Committee offered the following substitute to SB 270:

A BILL TO BE ENTITLED
AN ACT

1 To incorporate the City of Lakeside in DeKalb County; to provide for a charter for the City
2 of Lakeside; to provide for incorporation, boundaries, and powers of the city; to provide for
3 general powers and limitations on powers; to provide for a governing authority of such city
4 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 codes; to provide for
8 a charter commission; to provide for the office of mayor and certain duties and powers
9 relative to the office of mayor; to provide for administrative responsibilities; to provide for
10 boards, commissions, and authorities; to provide for a city manager, a city attorney, a city
11 clerk, a tax collector, a city accountant, and other personnel; to provide for a municipal court
12 and the judge or judges thereof; to provide for practices and procedures; to provide for ethics
13 and disclosures; to provide for taxation, licenses, and fees; to provide for franchises, service
14 charges, and assessments; to provide for bonded and other indebtedness; to provide for
15 accounting and budgeting; to provide for purchases; to provide for homestead exemptions;
16 to provide for bonds for officials; to provide for other matters relative to the foregoing; to
17 provide for a referendum; to provide effective dates and transitional provisions governing the
18 transfer of various functions and responsibilities from DeKalb County to the City of
19 Lakeside; to provide for severability; to provide an effective date; to repeal conflicting laws;
20 and for other purposes.

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

- 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 charter and for any purpose for which a municipality is authorized by
56 the 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 other such applicable laws as are or may hereafter be
64 enacted; to permit and regulate the same; to provide for the manner and method of
65 payment of such regulatory fees and taxes; and to revoke such permits after due process
66 for failure to pay any city taxes or fees;
- 67 (5)(A) Condemnation. To condemn property inside the corporate limits of the city for
68 present or future use and for any public purpose deemed necessary by the city council
69 utilizing procedures enumerated in Title 22 of the O.C.G.A. or such other applicable
70 laws as are or may hereafter be enacted; and
- 71 (B) The municipality shall have the right to condemn and cause to be remediated or
72 removed any building, structure, or existing condition within its corporate limits that
73 is dangerous to life, limb, or property, by reasons of decay, dilapidation, or unsanitary
74 condition. Nothing in this subparagraph shall be construed to relieve the municipality
75 of any duty to give owners or interested persons reasonable notice and opportunity to
76 remedy the situation. Nothing in this subparagraph shall be construed as relieving the
77 municipality of liability to any interested person for damages to person or property
78 taken or destroyed in furtherance of this subparagraph. This subparagraph shall not be
79 construed as authorizing the doing of any act or thing contrary to the Constitution of
80 this state and the policy of the general laws of this state. The municipality shall have
81 authority to adopt reasonable ordinances and resolutions for the purpose of carrying out
82 this subparagraph;
- 83 (6) Contracts. To enter into contracts and agreements with other governmental entities
84 and with private persons, firms, and corporations;
- 85 (7) Emergencies. To establish procedures for determining and proclaiming that an
86 emergency situation exists within or without the city, and to make and carry out all
87 reasonable provisions deemed necessary to deal with or meet such an emergency for the
88 protection, safety, health, or well-being of the citizens of the city;

- 89 (8) Environmental protection. To protect and preserve the natural resources,
90 environment, and vital areas of the city, the region, and the state through the enactment
91 of ordinances that preserve and improve air quality, restore and maintain water resources,
92 the control of erosion and sedimentation, manage storm water and establish a storm-water
93 utility, manage solid and hazardous waste, and provide other necessary or beneficial
94 actions for the protection of the environment. These ordinances shall include, without
95 limitation, ordinances that protect, maintain, and enhance the public health, safety,
96 environment, and general welfare and minimize public and private losses due to flood
97 conditions in flood hazard areas, as well as protect the beneficial uses of flood plain areas
98 for water quality protection, stream bank and stream corridor protection, wetlands
99 preservation, and ecological and environmental protection. Such ordinances may require
100 that uses vulnerable to floods, including facilities which serve such uses, be protected
101 against flood damage at the time of initial construction; may restrict or prohibit uses
102 which are dangerous to health, safety, and property due to flooding or erosion hazards,
103 or which increase flood heights, velocities, or erosion; may control filling, grading,
104 dredging, and other development which may increase flood damage or erosion; may
105 prevent or regulate the construction of flood barriers which will unnaturally divert flood
106 waters or which may increase flood hazards to other lands; may limit the alteration of
107 natural flood plains, stream channels, and natural protective barriers which are involved
108 in the accommodation of flood waters; and may protect the storm-water management,
109 water quality, stream bank protection, stream corridor protection, wetland preservation,
110 and ecological functions of natural flood plain areas;
- 111 (9) Ethics. To adopt ethics ordinances and regulations governing such things as, but not
112 limited to, the conduct of municipal elected officials, appointed officials, contractors,
113 vendors, and employees, establishing procedures for ethics complaints, and setting forth
114 penalties for violations of such rules and procedures;
- 115 (10) Fire regulations. To fix and establish fire limits and from time to time to extend,
116 enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with
117 general law, relating to both fire prevention and detection and to fire fighting; and to
118 prescribe penalties and punishment for violations thereof;
- 119 (11) Garbage fees. To levy, fix, assess, and collect a garbage, refuse, and trash collection
120 and disposal and other sanitary service charge, tax, or fee for such services as may be
121 necessary in the operation of the city from all individuals, firms, and corporations
122 residing in or doing business therein benefiting from such services; to enforce the
123 payment of such charges, taxes, or fees; and to provide for the manner and method of
124 collecting such service charges, taxes, or fees;

- 125 (12) General health, safety, and welfare. To define, regulate, and prohibit any act,
126 practice, conduct, or use of property which is detrimental to health, sanitation,
127 cleanliness, welfare, and safety of the inhabitants of the city, and to provide for the
128 enforcement of such standards;
- 129 (13) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for
130 any purpose related to powers and duties of the city and the general welfare of its
131 citizens, on such terms and conditions as the donor or grantor may impose, except in
132 contravention of this charter, ordinances promulgated thereunder, and the laws of this
133 state and the United States;
- 134 (14) Health and sanitation. To prescribe standards of health and sanitation and to
135 provide for the enforcement of such standards;
- 136 (15) Homestead Exemption. To establish and maintain procedures for offering
137 homestead exemptions to residents of the city and maintaining current homestead
138 exemptions of residents of the city as authorized by Act of the General Assembly;
- 139 (16) Jail sentences. To provide that persons given jail sentences in the city's court may
140 work out such sentences in any public works or on the streets, roads, drains, and other
141 public property in the city in the discretion of the court; to provide for commitment of
142 such persons to any jail; to provide for the use of pretrial diversion and any alternative
143 sentencing allowed by law; or to provide for commitment of such persons to any county
144 work camp or county jail by agreement with the appropriate county officials;
- 145 (17) Motor vehicles. To regulate the operation of motor vehicles and to exercise control
146 over all traffic, including, without limitation, parking upon or across the streets, roads,
147 alleys, and walkways of the city;
- 148 (18) Municipal agencies and delegation of power. To create, alter, or abolish
149 departments, boards, offices not specified in this charter, commissions, authorities, and
150 agencies of the city, and to confer upon such agencies the necessary and appropriate
151 authority for carrying out all the powers conferred upon or delegated to the same;
- 152 (19) Municipal debts. To appropriate and borrow money for the payment of debts of the
153 city and to issue bonds for the purpose of raising revenue to carry out any project,
154 program, or venture authorized by this charter or the laws of the State of Georgia;
- 155 (20) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or
156 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or
157 outside the property limits of the city;
- 158 (21) Municipal property protection. To provide for the preservation and protection of
159 property and equipment of the city and the administration and use of same by the public;
160 and to prescribe penalties and punishment for violations thereof;

- 161 (22) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose
162 of public utilities including, but not limited to, a system of waterworks, sewers and
163 drains, sewage disposal, storm-water management, gasworks, electricity-generating
164 plants, cable television and other telecommunications, transportation facilities, public
165 airports, and any other public utility; to fix the taxes, charges, rates, fares, fees,
166 assessments, regulations, and penalties; and to provide for the withdrawal of service for
167 refusal or failure to pay the same;
- 168 (23) Nuisance. To define a nuisance and to provide for its abatement whether on public
169 or private property;
- 170 (24) Penalties. To provide penalties for violation of any ordinances adopted pursuant to
171 the authority of this charter and the laws of the State of Georgia;
- 172 (25) Planning and zoning. To provide comprehensive city planning for city land use,
173 signage and outside advertising, and development by zoning; and to provide subdivision
174 regulation and the like as the city council deems necessary and reasonable to ensure a
175 safe, healthy, and aesthetically pleasing community;
- 176 (26) Police and fire protection. To exercise the power of arrest through duly appointed
177 police officers, and to establish, operate, or contract for a police and a fire-fighting
178 agency;
- 179 (27) Public hazards; removal. To provide for the destruction and removal of any
180 building or other structure that is or may become dangerous or detrimental to the public;
- 181 (28) Public improvements. To provide for the acquisition, construction, building,
182 operation, maintenance, or abolition of public ways, parks and playgrounds, recreational
183 facilities, cemeteries, public buildings, libraries, public housing, parking facilities, and
184 charitable, cultural, educational, recreational, conservation, sport, detentional, penal, and
185 medical institutions, agencies, and facilities; to provide any other public improvements
186 inside the corporate limits of the city and to regulate the use of public improvements; and
187 for such purposes, property may be acquired by condemnation under Title 22 of the
188 O.C.G.A. or such other applicable laws as are or may hereafter be enacted;
- 189 (29) Public peace. To provide for the prevention and punishment of loitering, disorderly
190 conduct, drunkenness, riots, and public disturbances;
- 191 (30) Public transportation. To organize and operate such public transportation systems
192 as are deemed beneficial;
- 193 (31) Public utilities and services. To grant franchises or to make contracts for, or to
194 impose taxes on, public utilities and public service companies; and to prescribe the rates,
195 fares, regulations, and standards and conditions of service applicable to the service to be
196 provided by the franchise grantee or contractor, insofar as not in conflict with valid
197 regulations of the Public Service Commission;

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

203 (33) Employee benefits. To provide and maintain a retirement plan, insurance, and such
 204 other employee benefits for appointed officers and employees of the city as are
 205 determined by the city council;

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

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

217 (36) Special assessments. To levy and provide for the collection of special assessments
 218 to cover the costs for any public improvements, subject to referendum;

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

221 (A) The millage rate imposed for ad valorem taxes on real property shall not
 222 exceed 4.13 unless a higher limit is recommended by resolution of the city council and
 223 approved by a majority vote of the qualified voters of the City of Lakeside voting on
 224 the issue in a referendum; and

225 (B) For all years, the fair market value of all property subject to taxation shall be
 226 determined according to the tax digest of DeKalb County, as provided in Code
 227 Section 48-5-352 of the O.C.G.A.

228 Notwithstanding the provisions of subparagraph (A) of this paragraph, the mayor and
 229 council shall be authorized to create a special service district fund for provisions of fire
 230 and rescue services and to levy ad valorem taxes on real property not to exceed the
 231 average of such taxes levied by DeKalb County for the provision of the same services for
 232 the previous five years prior to the transfer of such services to the city;

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

235 (39) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the
 236 number of such vehicles; to require the operators thereof to be licensed; to require public
 237 liability insurance on such vehicles in the amounts to be prescribed by ordinance; to
 238 inspect such vehicles and mandate standards of safety and cleanliness; and to regulate the
 239 parking of such vehicles;

240 (40) Tourism, conventions, and trade shows. To provide for the structure, operation, or
 241 management of the Lakeside Convention and Visitors Bureau created pursuant to
 242 Section 1.05 of this charter and to authorize the City of Lakeside to contract with private
 243 sector nonprofit organizations or other governmental agencies to promote tourism,
 244 conventions, and trade shows;

245 (41) Urban redevelopment. To organize and operate an urban redevelopment program;
 246 and

247 (42) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,
 248 and immunities necessary or desirable to promote or protect the safety, health, peace,
 249 security, good order, comfort, convenience, or general welfare of the city and its
 250 inhabitants; to exercise all implied powers necessary or desirable to carry into execution
 251 all powers granted in this charter as fully and completely as if such powers were fully
 252 stated herein; and to exercise all powers now or in the future authorized to be exercised
 253 by other municipal governments under other laws of the State of Georgia; and any listing
 254 of particular powers in this charter shall not be held to be exclusive of others or restrictive
 255 of general words and phrases granting powers, but instead shall be held to be in addition
 256 to such powers unless expressly prohibited to municipalities under the Constitution or
 257 applicable laws of the State of Georgia.

258 **SECTION 1.04.**

259 Exercise of powers.

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

264 **SECTION 1.05.**

265 Tourism, conventions, and trade shows.

266 The Lakeside Convention and Visitors Bureau is hereby created.

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ARTICLE II

268

GOVERNMENT STRUCTURE, ELECTIONS, AND LEGISLATIVE BRANCH

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SECTION 2.01.

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City council creation; number; election.

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(a) The legislative authority of the government of the City of Lakeside, except as otherwise specifically provided in this Act, shall be vested in a city council of which the mayor shall be a voting member.

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(b)(1) The city council of Lakeside, Georgia, shall consist of seven members plus the mayor.

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(2) There shall be seven council districts, designated Council Districts 1 through 7, as described in Appendix B of this Act, which is attached to and made a part of this charter of the City of Lakeside.

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(3) One councilmember shall be elected from each of the seven council districts and shall hold Council Posts 1, 2, 3, 4, 5, 6, and 7, respectively. Each person desiring to offer as a candidate for councilmember for such posts shall designate the council post for which he or she is offering. Councilmembers for such posts shall be elected by a majority vote of the qualified electors of the respective council districts voting at the elections of the city. In the event that no candidate for a council post obtains a majority vote of the qualified electors of the council district voting in the election, a run-off election shall be held. The candidates receiving the two highest numbers of votes in the election for such council post shall be included in the run-off election. The person receiving the highest number of votes of the qualified electors of the council district voting at such run-off election shall be elected. Each candidate for election to the city council must reside in the district he or she seeks to represent.

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(c) With the exception of the initial terms set forth in subsection (d) of this section, councilmembers shall be elected to terms of four years and until their successors are elected and qualified on a staggered basis in alternate election cycles such that every two years three councilmembers are up for election.

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(d) In order to assure staggered elections of the councilmembers, in the first election of the city council, the terms for the candidates elected for Council Posts 1, 3, 5, and 7 shall expire upon the administration of the oath of office to their successors elected in the regular elections held in November, 2015, as provided in subsection (b) of Section 2.02. The terms for the candidates elected for Council Posts 2, 4, and 6 shall expire upon the administration of the oath of office to their successors elected in the regular elections held in November, 2017, as provided in subsection (b) of Section 2.02. Thereafter, a successor to

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302 each councilmember shall be elected at the November election immediately preceding the
303 end of such councilmember's term of office and the term of each councilmember shall expire
304 upon the administration of the oath of office to his or her successor.

305 (e) With the exception of the initial term of office, the mayor of the City of Lakeside, with
306 the powers and duties specified herein, shall be elected to a term of four years and until his
307 or her successor is elected and qualified. The mayor shall be elected by a majority vote of
308 the qualified electors of the city at large voting at the elections of the city. In the event that
309 no candidate for mayor obtains a majority vote of the qualified electors of the city at large
310 voting at the elections of the city, then a run-off election shall be held. The candidates
311 receiving the two highest numbers of votes in the election shall be included in the run-off
312 election and the candidate receiving the highest number of votes in the runoff of the qualified
313 electors of the city at large voting at such runoff shall be elected. The term of the first
314 elected mayor shall expire upon the administration of the oath of office to his or her
315 successor elected in the regular election held in November, 2017, as provided in
316 subsection (b) of Section 2.02. Thereafter, the successor to each mayor shall be elected at
317 the November election immediately preceding the end of such mayor's term of office and the
318 term of each mayor shall expire upon the administration of the oath of office to his or her
319 successor.

320 **SECTION 2.02.**

321 Mayor and councilmembers; terms and qualifications for office.

322 (a) For all elections subsequent to the first election, the mayor and councilmembers shall
323 serve for terms of four years and until their terms shall expire upon the administration of the
324 oath of office to their successors. No person shall be eligible to serve as mayor or
325 councilmember unless that person shall have been a resident of the City of Lakeside for a
326 continuous period of at least 12 months immediately prior to the date of the election for
327 mayor or councilmember, shall continue to reside therein during that person's period of
328 service, and shall continue to be registered and qualified to vote in municipal elections of the
329 City of Lakeside. In addition to the above requirements, no person shall be eligible to serve
330 as a councilmember representing a council district unless that person has been a resident of
331 the district such person seeks to represent for a continuous period of at least six months
332 immediately prior to the date of the election for councilmember and continues to reside in
333 such district during that person's period of service.

334 (b) An election shall be held on the Tuesday next following the first Monday in November,
335 2014, to elect the first mayor and city council. At such election, the first mayor and council
336 shall be elected to serve for the initial terms of office specified in subsections (d) and (e) of

337 Section 2.01. Thereafter, the time for holding regular municipal elections shall be on the
338 Tuesday next following the first Monday in November of each odd-numbered year beginning
339 in 2015.

340 (c) The number of successive terms an individual may hold a position as a councilmember
341 shall be unlimited.

342 (d) The number of successive terms an individual may hold the position of mayor shall be
343 limited to two terms. An individual who serves as mayor for either one term or two
344 consecutive terms may stand for subsequent elections provided the individual is not the
345 mayor at the time of such elections.

346 SECTION 2.03.

347 Vacancy; filling of vacancies; suspensions.

348 (a) Elected officials of the city shall not hold other elected or public offices. The elected
349 offices of the city's government shall become vacant upon the member's death, resignation,
350 removal, or forfeiture of office. The following shall result in an elected city official
351 forfeiting his or her office:

352 (1) Violating the provisions of this charter;

353 (2) Being convicted of, or pleading guilty or "no contest" to, a felony or to a crime of
354 moral turpitude; or

355 (3) Failing to attend one-third of the regular meetings of the council in a three-month
356 period without being excused by the council.

357 (b) The office of mayor shall become vacant upon the incumbent's death, resignation,
358 forfeiture of office, or removal from office in any manner authorized by this Act or the
359 general laws of the State of Georgia. A vacancy in the office of mayor shall be filled for the
360 remainder of the unexpired term by a special election if such vacancy occurs 12 months or
361 more prior to the expiration of the term of that office. If such vacancy occurs within 12
362 months of the expiration of the term of that office, the city council or those members
363 remaining shall appoint a successor for the remainder of the term. This provision shall also
364 apply to a temporary vacancy created by the suspension from office of the mayor.

365 (c) The office of a councilmember shall become vacant upon the incumbent's death,
366 resignation, forfeiture of office, or removal from office in any manner authorized by this Act
367 or the general laws of the State of Georgia. A vacancy in the office of a councilmember shall
368 be filled for the remainder of the unexpired term by a special election if such vacancy occurs
369 12 months or more prior to the expiration of the term of that office. If such vacancy occurs
370 within 12 months of the expiration of the term of that office, the mayor shall appoint a
371 successor for the remainder of the term subject to the approval of the city council or those

372 members remaining. This provision shall also apply to a temporary vacancy created by the
373 suspension from office of a councilmember.

374 **SECTION 2.04.**

375 Nonpartisan elections.

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

378 **SECTION 2.05.**

379 Election votes.

380 (a) A candidate for mayor who receives a majority vote of the qualified electors of the city
381 at large voting at the elections of the city shall be elected to a term of office.

382 (b) Candidates for city council who receive a majority vote of the qualified electors of their
383 respective districts voting at the elections of the city shall be elected to a term of office.

384 **SECTION 2.06.**

385 Applicability of general laws; qualifying; other provisions.

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

393 **SECTION 2.07.**

394 Compensation and expenses.

395 The annual salary of the mayor shall be \$16,000.00, and the annual salary for each
396 councilmember shall be \$12,000.00. Such salaries shall be paid from municipal funds in
397 monthly installments. The mayor shall be provided an annual expense allowance of
398 \$5,000.00 and each councilmember shall be provided an annual expense allowance of
399 \$3,000.00 for the reimbursement of expenses actually and necessarily incurred by the mayor
400 and councilmembers in carrying out their duties as elected officials of the city.

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SECTION 2.08.

Inquiries and investigations.

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

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SECTION 2.09.

Meetings, oath of office, and mayor pro tempore.

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

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

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(b) Following the induction of the mayor and councilmembers, the city council, by a majority vote of the councilmembers, shall elect a councilmember to be mayor pro tempore, who shall serve for a term of two years and until a successor is elected and qualified. The number of successive terms an individual may hold the position of mayor pro tempore shall be unlimited.

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(c) The mayor pro tempore shall assume the duties and powers of the mayor during the mayor's temporary disability, suspension, or absence. If the mayor pro tempore is absent

435 because of sickness or disqualification, any one of the remaining councilmembers, chosen
 436 by the councilmembers present, shall be clothed with all the rights and privileges of the
 437 mayor as described herein and shall perform the mayor's duties in the same manner as the
 438 mayor pro tempore.

439 (d) The city council shall, at least once a month, hold regular meetings at such times and
 440 places as prescribed by ordinance. The city council may recess any regular meeting and
 441 continue such meeting on any day or hour it may fix and may transact any business at such
 442 continued meeting as may be transacted at any regular meeting.

443 (e) Special meetings of the city council may be held on the call of either the mayor and one
 444 councilmember or three councilmembers. Notice of such special meetings shall be delivered
 445 to all councilmembers, the mayor, and the city manager personally, by registered mail, or by
 446 electronic means at least 24 hours in advance of the meeting. Such notice shall not be
 447 required if the mayor, all councilmembers, and city manager are present when the special
 448 meeting is called. Such notice of any special meeting may be waived as to himself or herself
 449 by the mayor, a councilmember, or the city manager in writing before or after such a
 450 meeting, and attendance at the meeting shall also constitute a waiver of notice. The notice
 451 of such special meeting shall state what business is to be transacted at the special meeting.
 452 Only the business stated in the call may be transacted at the special meeting.

453 **SECTION 2.10.**

454 Quorum; voting.

455 (a) Four councilmembers shall constitute a quorum and shall be authorized to transact
 456 business for the city council. The mayor shall be counted toward the making of a quorum.
 457 Voting on the adoption of ordinances shall be taken by voice vote, and the yeas and nays
 458 shall be recorded in the minutes, but on the request of any member, there shall be a roll-call
 459 vote. In order for any ordinance, resolution, motion, or other action of the city council to be
 460 adopted, the measure must receive at least three affirmative votes and also must receive the
 461 affirmative votes of a majority of those voting. No councilmember shall abstain from voting
 462 on any matter properly brought before the city council for official action except when such
 463 councilmember has a reason which is disclosed in writing prior to or at the meeting and made
 464 a part of the minutes. If any councilmember is present and eligible to vote on a matter and
 465 refuses to do so for a reason he or she will not disclose, he or she shall be deemed to have
 466 voted with the majority of the votes of the other councilmembers on the issue involved. The
 467 mayor shall vote on matters brought before the council only to break a tie vote.

468 (b) The following types of actions require an ordinance in order to have the force of law:

469 (1) Adopt or amend an administrative code or establish, alter, or abolish a department,

470 office not specified in this charter, or agency;

471 (2) Provide for fine or other penalty;

472 (3) Levy taxes;

473 (4) Grant, renew, or extend a franchise;

474 (5) Regulate a rate for a public utility;

475 (6) Authorize the borrowing of money;

476 (7) Convey, lease, or encumber city land;

477 (8) Regulate land use and development; and

478 (9) Amend or repeal an ordinance already adopted.

479 (c) The city council shall establish by ordinance procedures for convening emergency
480 meetings. In an emergency, an ordinance may be passed without notice or hearings if the
481 city council passes the ordinance by three-fourths vote; provided, however, that the city
482 council cannot in an emergency meeting:

483 (1) Levy taxes;

484 (2) Grant, renew, or extend a franchise;

485 (3) Regulate a rate for a public utility; or

486 (4) Borrow money.

487 **SECTION 2.11.**

488 General power and authority of the city council.

489 (a) Except as otherwise provided by law or by this charter, the city council shall be vested
490 with all the powers of government of the City of Lakeside as provided by Article I of this
491 charter.

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

499 **SECTION 2.12.**

500 Administrative and service departments.

501 (a) Except for the office of city manager and the elected positions provided for in this
502 charter, the city council, by ordinance, may establish, abolish, merge, or consolidate offices

503 not specified in this charter, positions of employment, departments, and agencies of the city
 504 as it shall deem necessary for the proper administration of the affairs and government of the
 505 city. The city council shall prescribe the functions and duties of existing departments,
 506 offices, and agencies or of any departments, offices, and agencies hereinafter created or
 507 established; may provide that the same person shall fill any number of offices and positions
 508 of employment; and may transfer or change the functions and duties of offices, positions of
 509 employment, departments, and agencies of the city.

510 (b) The operations and responsibilities of each department now or hereafter established in
 511 the city shall be distributed among such divisions or bureaus as may be provided by
 512 ordinance of the city council. Each department shall consist of such officers, employees, and
 513 positions as may be provided by this charter or by ordinance and shall be subject to the
 514 general supervision and guidance of the mayor and city council.

515 **SECTION 2.13.**

516 Prohibitions.

517 (a) No elected official, appointed officer, or employee of the city or any agency or political
 518 entity to which this charter applies shall knowingly:

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

523 (2) Engage in or accept private employment or render services for private interests when
 524 such employment or service is incompatible with the proper discharge of official duties
 525 or would tend to impair the independence of his or her judgment or action in the
 526 performance of official duties;

527 (3) Disclose confidential information concerning the property, government, or affairs of
 528 the governmental body by which engaged without proper legal authorization or use such
 529 information to advance the financial or other private interest of himself or herself or
 530 others, except as required by law;

531 (4) Accept any valuable gift, whether in the form of service, loan, object, or promise,
 532 from any person, firm, or corporation which to his or her knowledge is interested, directly
 533 or indirectly, in any manner whatsoever in business dealings with the governmental body
 534 by which he or she is engaged; "valuable" shall be an amount determined by the city
 535 council; provided, however, that the amount shall not exceed \$100.00;

536 (5) Represent other private interests in any action or proceeding against this city or any
 537 portion of its government; or

538 (6) Vote or otherwise participate in the negotiation or in the making of any contract with
 539 any business or entity in which he or she, or members of his or her immediate family, has
 540 a financial interest.

541 (b) Any elected official, appointed officer, or employee who has any private financial
 542 interest, directly or indirectly, in any contract or matter pending before or within any
 543 department of the city shall disclose such private interest to the city council. "Private
 544 financial interest" shall include interests of immediate family. The mayor or any
 545 councilmember who has a private interest in any matter pending before the city council shall
 546 disclose in writing such private interest, and such disclosure shall be entered on the records
 547 of the city council, and he or she shall disqualify himself or herself from participating in any
 548 decision or vote relating thereto. Any elected official, appointed officer, or employee of any
 549 agency or political entity to which this charter applies who shall have any private financial
 550 interest, directly or indirectly, in any contract or matter pending before or within such entity
 551 shall disclose such private interest to the governing body of such agency or entity.

552 (c) No elected official, appointed officer, or employee of the city or any agency or entity to
 553 which this charter applies shall use property owned by such governmental entity for personal
 554 benefit, convenience, or profit, except in accordance with policies promulgated by the city
 555 council or the governing body of such agency or entity.

556 (d) Any violation of this section which occurs with the knowledge, express or implied, of
 557 a party to a contract or sale shall render said contract or sale voidable at the option of the city
 558 council.

559 (e) Except as authorized by law, no member of the city council shall hold any other elective
 560 city office or be employed by any city or county government during the term for which
 561 elected.

562 **SECTION 2.14.**

563 Boards, commissions, and authorities.

564 (a) All members of boards, commissions, and authorities of the city shall be appointed by
 565 the mayor subject to confirmation by the city council for such terms of office and such
 566 manner of appointment as provided by ordinance, except where other appointing authority,
 567 term of office, or manner of appointment is prescribed by this charter or by applicable state
 568 law.

569 (b) No member of any board, commission, or authority of the city shall hold any elective
 570 office in the city.

571 (c) Any vacancy in office of any member of a board, commission, or authority of the city
 572 shall be filled for the unexpired term in the manner prescribed for original appointment,

573 except as otherwise provided by this charter or any applicable law of the State of Georgia.
 574 (d) No member of any board, commission, or authority shall assume office until he or she
 575 shall have executed and filed with the designated officer of the city an oath obligating
 576 himself or herself to faithfully and impartially perform the duties of his or her office, such
 577 oath to be prescribed by ordinance of the city council and administered by the mayor or a
 578 judicial officer authorized to administer oaths.

579 (e) Any member of a board, commission, or authority may be removed from office for cause
 580 by a vote of a majority of the councilmembers in accordance with state laws.

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

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

591 **SECTION 2.15.**

592 Ordinance form; procedures.

593 (a) Every proposed ordinance and resolution shall be introduced in writing and the city
 594 council shall have the authority to approve, disapprove, or amend the same. A resolution
 595 may be passed at the time it is offered, but an ordinance shall not be adopted until the title
 596 of said ordinance shall have been read at two city council meetings, provided that the
 597 beginning of said meetings be neither less than 24 hours nor more than 60 days apart. This
 598 requirement of two readings shall not apply to emergency ordinances, to ordinances passed
 599 during the first 90 days from the date on which the city begins operation or to ordinances
 600 adopted at the first meeting of the initial city council as elected under subsection (b) of
 601 Section 2.02 of this charter. The catchlines of sections of this charter or any ordinance
 602 printed in boldface type, italics, or otherwise, are intended as mere catchwords to indicate
 603 the contents of the section, and:

- 604 (1) Shall not be deemed or taken to be titles of such sections or as any part of the section;
 605 and
 606 (2) Shall not be so deemed when any of such sections, including the catchlines, are
 607 amended or reenacted unless expressly provided to the contrary. Furthermore, the

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

611 (b) The city council may, by ordinance or resolution, adopt rules and bylaws to govern the
 612 conduct of its business, including procedures and penalties for compelling the attendance of
 613 absent councilmembers. Such rules may include punishment for contemptuous behavior
 614 conducted in the presence of the city council.

615 **SECTION 2.16.**

616 Submission of ordinances to the city clerk.

617 (a) Every ordinance, resolution, and other action adopted by the city council shall be
 618 presented to the city clerk within 15 days of its adoption or approval. The city clerk shall
 619 record upon the ordinance the date of its delivery from the city council.

620 (b) An ordinance or resolution that has been passed by the city council shall become
 621 effective on the date the ordinance is passed by the city council or on such other date as may
 622 be specified in the ordinance.

623 **ARTICLE III**

624 **EXECUTIVE BRANCH**

625 **SECTION 3.01.**

626 Powers and duties of the mayor.

627 (a) The mayor shall:

628 (1) Preside over all meetings of the city council;

629 (2) Set the agenda for meetings of the city council after receiving input from members
 630 of the city council, the city manager, and the public; provided, however that an additional
 631 item shall be added to the agenda upon the written request of any two members of the city
 632 council;

633 (3) Serve as the ceremonial head of the city and as its official representative to federal,
 634 state, and local governmental bodies and officials;

635 (4) Sign all orders, checks, and warrants for payment of money within a level of
 636 authorization as established by the city council;

637 (5) Execute all contracts, deeds, and other obligations of the city within a level of
 638 authorization as established by the city council;

- 639 (6) Vote in matters before the city council only to break a tie vote as provided in
 640 Section 2.10(a) of this charter;
- 641 (7) Make all appointments of city officers as provided by this charter, subject to
 642 confirmation by the city council;
- 643 (8) Serve in a part-time capacity and be compensated accordingly; and
- 644 (9) Perform any other duties and exercise any other powers required by state or federal
 645 law or authorized by a duly adopted ordinance that is not in conflict with this charter.
- 646 (b) The mayor shall have the authority to transfer appropriations between departments,
 647 funds, services, strategies, or organizational units but only with approval of the city council.
- 648 (c) The mayor shall have the authority to certify that a supplemental appropriation is
 649 possible due to unexpected revenue increases but only with approval of the city council.
- 650 (d) The mayor shall have all of the powers specifically granted to the mayor elsewhere in
 651 this charter regardless of whether such powers are enumerated in this section of this charter.

652 **SECTION 3.02.**

653 City manager; appointment and qualification.

654 The mayor shall appoint, subject to confirmation by the city council, an officer whose title
 655 shall be the "city manager." The city manager shall be appointed without regard to political
 656 beliefs and solely on the basis of his or her education and experience in the accepted
 657 competencies and practices of local government management.

658 **SECTION 3.03.**

659 City manager; chief administrative officer.

660 The city manager shall be the chief administrative officer of the government of the city. The
 661 city manager shall devote all of his or her working time and attention to the affairs of the city
 662 and shall be responsible to the mayor and city council for the proper and efficient
 663 administration of the affairs of the city over which such officer has jurisdiction.

664 **SECTION 3.04.**

665 City manager; powers and duties enumerated.

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

- 667 (1) See that all laws and ordinances are enforced;
- 668 (2) Appoint and employ all necessary employees of the city, provided that the power of
 669 this appointment shall not include officers and employees who by this charter are

- 670 appointed or elected by the mayor and the city council or departments not under the
671 jurisdiction of the city manager;
- 672 (3) Remove employees appointed and employed under paragraph (2) of this section,
673 without the consent of the city council and without assigning any reason therefor;
- 674 (4) Exercise supervision and control of all departments and all divisions created in this
675 charter or that may hereafter be created by the city council except as otherwise provided
676 in this charter;
- 677 (5) Attend all meetings of the city council, without a right to vote, but with a right to take
678 part in the discussions as seen fit by the chairperson; provided, however, that regardless
679 of the decision of the meeting chairperson, the city manager may take part in any
680 discussion and report on any matter requested and approved by the city council at such
681 meeting. The city manager shall be entitled to notice of all special meetings;
- 682 (6) Recommend to the city council, after prior review and comment by the mayor, for
683 adoption such measures as the city manager may deem necessary or expedient;
- 684 (7) See that all terms and conditions imposed in favor of the city or its inhabitants in any
685 public utility franchise are faithfully kept and performed and, upon knowledge of any
686 violation thereof, to call the same to the attention of the city attorney, whose duty it shall
687 be forthwith to take such steps as are necessary to protect and enforce the same;
- 688 (8) Make and execute all lawful contracts on behalf of the city as to matters within the
689 city manager's level of authorization, as established by the city council, to the extent that
690 such contracts are funded in the city's budget, except such as may be otherwise provided
691 by law; provided, however, that no contract purchase or obligation requiring a budget
692 amendment shall be valid and binding until after approval of the city council;
- 693 (9) Sign all orders, checks, and warrants for payment of money within the city manager's
694 level of authorization as established by the city council to the extent that such contracts
695 are funded in the city's budget, except such as may be otherwise provided by law;
696 provided, however, that no such order, check, or warrant requiring a budget amendment
697 shall be valid and binding until after approval of the city council;
- 698 (10) Act as budget officer to prepare and submit to the city council, after review and
699 comment by the mayor, prior to the beginning of each fiscal year a budget of proposed
700 expenditures for the ensuing year, showing in as much detail as practicable the amounts
701 allotted to each department of the city government and the reasons for such estimated
702 expenditures;
- 703 (11) Keep the city council at all times fully advised as to the financial condition and
704 needs of the city;

- 705 (12) Make a full written report to the city council on the fifteenth of each month,
 706 showing the operations and expenditures of each department of the city government for
 707 the preceding month, and a synopsis of such reports shall be published by the city clerk;
 708 (13) Fix all salaries and compensation of city employees in accordance with the city
 709 budget and the city pay and classification plan;
 710 (14) Transfer appropriations within a department; and
 711 (15) Perform such other duties as may be prescribed by this charter or required by
 712 ordinance or resolution of the city council.

713 **SECTION 3.05.**

714 City council interference with administration.

715 Except for the purpose of inquiries and investigations under Section 2.08 of this charter, the
 716 city council or its members shall deal with city officers and employees who are subject to the
 717 direction or supervision of the city manager, solely through the city manager other than for
 718 routine inquiries made on behalf of constituents regarding the delivery of city services, and
 719 neither the city council nor its members shall give orders to any such officer or employee,
 720 either publicly or privately.

721 **SECTION 3.06.**

722 City manager; removal.

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

- 725 (1) The city council shall adopt by affirmative vote of a majority of all its members a
 726 preliminary resolution removing the city manager and may suspend the city manager
 727 from duty for a period not to exceed 45 days. A copy of the resolution shall be delivered
 728 promptly to the city manager;
 729 (2) Within five days after a copy of the resolution is delivered to the city manager, he or
 730 she may file with the city council a written request for a public hearing. This hearing
 731 shall be held at a city council meeting neither earlier than 15 days nor later than 30 days
 732 after the request is filed. The city manager may file with the city council a written reply
 733 not later than five days before the hearing; and
 734 (3) The mayor and city council may adopt a final resolution of removal, which may be
 735 made effective immediately, by affirmative vote of four of its members at any time after
 736 five days from the date when a copy of the preliminary resolution was delivered to the

737 city manager, if he or she has not requested a public hearing, or at any time after the
738 public hearing if he or she has requested one.

739 (b) The city manager shall continue to receive his or her salary until the effective date of a
740 final resolution of his or her removal. The action of the city council in suspending or
741 removing the city manager shall not be subject to review by any court or agency.

742 (c) If the city manager is suspended in accordance with subsection (a) of this section or
743 becomes disabled and is unable to carry out the duties of the office or if the city manager
744 dies, the acting city manager shall perform the duties of the city manager until the city
745 manager's disability is removed or until the city manager is replaced. Removal of the city
746 manager because of disability shall be carried out in accordance with the provisions of
747 subsection (a) of this section.

748 **SECTION 3.07.**

749 Acting city manager.

750 (a) The mayor with the approval of the city council may appoint any person to exercise all
751 powers, duties, and functions of the city manager during the city manager's suspension under
752 subsection (a) of Section 3.06 of this charter, temporary absence from the city, or during the
753 city manager's disability.

754 (b) In the event of a vacancy in the office of city manager, the mayor may designate, with
755 the approval of the city council, a person as acting city manager, who shall exercise all
756 powers, duties, and functions of the city manager until a city manager is appointed.

757 **SECTION 3.08.**

758 City attorney.

759 The mayor shall appoint the city attorney or city attorneys together with such assistant city
760 attorneys as may be deemed appropriate, subject to confirmation by the city council, and
761 shall provide for the payment of such attorneys for services rendered to the city. The rates
762 or salary paid to any city attorney or assistant city attorney shall be approved in advance by
763 the city council. The city attorney shall be responsible for representing and defending the
764 city in all litigation to which the city is a party; may be the prosecuting officer in the
765 municipal court; shall attend the meetings of the city council as directed; shall advise the city
766 council, mayor, other officers, and employees of the city concerning legal aspects of the
767 city's affairs; and shall perform such other duties as may be required by virtue of his or her
768 position as city attorney. The city attorney shall review all contracts of the city but shall not
769 have the power to bind the city.

770 **SECTION 3.09.**

771 City clerk.

772 The mayor shall appoint a city clerk subject to confirmation by the city council to keep a
773 journal of the proceedings of the city council; to maintain in a safe place all records and
774 documents pertaining to the affairs of the city; and to perform such duties as may be required
775 by law or ordinance or as the mayor or city manager may direct.

776 **SECTION 3.10.**

777 Tax collector.

778 The mayor may appoint a tax collector, subject to confirmation by the city council, to collect
779 all taxes, licenses, fees, and other moneys belonging to the city, subject to the provisions of
780 this charter and the ordinances of the city; and the tax collector shall diligently comply with
781 and enforce all general laws of Georgia relating to the collection, sale, or foreclosure of taxes
782 by municipalities.

783 **SECTION 3.11.**

784 City accountant.

785 The mayor may appoint a city accountant subject to confirmation by the city council to
786 perform the duties of an accountant.

787 **SECTION 3.12.**

788 City internal auditor.

789 The city council shall appoint an internal auditor to audit the financial records and
790 expenditures of city funds and to report the results of such audits in writing to the city
791 council at times and at intervals set by the city council but no less than quarterly. Such audit
792 reports shall, at a minimum, identify all city expenditures and other financial matters that the
793 internal auditor either determines are not in compliance with or cannot conclusively be
794 determined to be in compliance with:

- 795 (1) The provisions of this charter;
- 796 (2) The applicable city budget; and
- 797 (3) Applicable ordinances, resolutions, or other actions duly adopted or approved under
798 the provisions of this charter.

799

SECTION 3.13.

800

Consolidation of functions.

801

The city manager, with the approval of the city council, may consolidate any two or more of

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the positions of city tax collector, city accountant, or any other positions or may assign the

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functions of any one or more of such positions to the holder or holders of any other positions.

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The city manager may also, with the approval of the city council, perform all or any part of

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the functions of any of the positions or offices in lieu of the appointment of other persons to

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perform the same.

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SECTION 3.14.

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Position classification and pay plans; employment at will.

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The city manager shall be responsible for the preparation of a position classification and a

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pay plan which shall be submitted to the city council for approval. Said plan may apply to

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all employees of the City of Lakeside and any of its agencies and offices. When a pay plan

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has been adopted by the city council, neither the city council nor the city manager shall

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increase or decrease the salaries of individual employees except in conformity with such pay

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plan or pursuant to an amendment of such pay plan duly adopted by the city council. Except

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as otherwise provided in this charter, all employees of the city shall be subject to removal or

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discharge, with or without cause, at any time.

817

ARTICLE IV

818

MUNICIPAL COURT

819

SECTION 4.01.

820

Creation.

821

There is established a court to be known as the Municipal Court of the City of Lakeside

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which shall have jurisdiction and authority to try offenses against the laws and ordinances

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of such city and to punish for a violation of the same. Such court shall have the power to

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enforce its judgments by the imposition of such penalties as may be provided by law,

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including ordinances of the city; to punish witnesses for nonattendance and to punish also

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any person who may counsel or advise, aid, encourage, or persuade another whose testimony

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is desired or material in any proceeding before such court to go or move beyond the reach

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of the process of the court; to try all offenses within the territorial limits of the city

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constituting traffic cases which, under the laws of Georgia, are placed within the jurisdiction

830 of municipal courts to the extent of, and in accordance with, the provisions of such laws and
 831 all laws subsequently enacted amendatory thereof. Such court shall be presided over by the
 832 judge of such court.

833 **SECTION 4.02.**

834 Judges.

835 (a) No person shall be qualified or eligible to serve as judge unless he or she shall have
 836 attained the age of 28 years and shall have been a member of the State Bar of Georgia for a
 837 minimum of three years. The judges shall be nominated by the mayor subject to approval
 838 by the city council. The compensation and number of the judges shall be fixed by the city
 839 council.

840 (b) Before entering on the duties of his or her office, the judge shall take an oath before an
 841 officer duly authorized to administer oaths in this state declaring that he or she will truly,
 842 honestly, and faithfully discharge the duties of his or her office to the best of his or her ability
 843 without fear, favor, or partiality. The oath shall be entered upon the minutes of the city
 844 council.

845 (c) The judge shall serve for a term of four years but may be removed from the position by
 846 a two-thirds vote of the entire membership of the city council or shall be removed upon
 847 action taken by the state Judicial Qualifications Commission for:

- 848 (1) Willful misconduct in office;
 849 (2) Willful and persistent failure to perform duties;
 850 (3) Habitual intemperance;
 851 (4) Conduct prejudicial to the administration of justice which brings the judicial office
 852 into disrepute; or
 853 (5) Disability seriously interfering with the performance of duties, which is or is likely
 854 to become of a permanent character.

855 **SECTION 4.03.**

856 Convening.

857 The municipal court shall be convened at such times as designated by ordinance or at such
 858 times as deemed necessary by the judge to keep current the dockets thereof.

859 **SECTION 4.04.**

860 Jurisdiction; powers.

861 (a) The municipal court shall try and punish for crimes against the City of Lakeside and for
862 violation of its ordinances. The municipal court may fix punishment for offenses within its
863 jurisdiction to the fullest extent allowed by state law.

864 (b) The municipal court shall have authority to recommend to the city council for approval
865 a schedule of fees to defray the cost of operation.

866 (c) The municipal court shall have authority to establish bail and recognizances to ensure
867 the presence of those charged with violations before such court and shall have discretionary
868 authority to accept cash or personal or real property as security for appearances of persons
869 charged with violations. Whenever any person shall give bail for his or her appearance and
870 shall fail to appear at the time fixed for trial, the bond shall be forfeited to the judge presiding
871 at such time and an execution issued thereon by serving the defendant and his or her sureties
872 with a rule nisi at least two days before a hearing on the rule nisi. In the event that cash or
873 property is accepted in lieu of bond for security for the appearance of a defendant at trial, and
874 if such defendant fails to appear at the time and place fixed for trial, the cash so deposited
875 shall be, on order of the judge, declared forfeited to the City of Lakeside, or the property so
876 deposited shall have a lien against it for the value forfeited.

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

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

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

884 (g) The municipal court is specifically vested with all of the judicial jurisdiction and judicial
885 powers throughout the entire area of the City of Lakeside granted by state laws generally to
886 municipal courts and particularly by such laws as authorize the abatement of nuisances.

887 **SECTION 4.05.**

888 Certiorari.

889 The right of certiorari from the decision and judgment of the municipal court shall exist in
890 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under
891 the sanction of a judge of the Superior Court of DeKalb County under the laws of the State
892 of Georgia regulating the granting and issuance of writs of certiorari.

893 **SECTION 4.06.**

894 Rules for court.

895 With the approval of the city council, the judges shall have full power and authority to make
 896 reasonable rules and regulations necessary and proper to secure the efficient and successful
 897 administration of the municipal court.

898 **ARTICLE V**899 **FINANCE AND FISCAL**900 **SECTION 5.01.**

901 Fiscal year.

902 The city council shall set the fiscal year by ordinance. Such fiscal year shall constitute the
 903 budget year and the year for financial accounting and reporting of each and every office,
 904 department or institution, agency, and activity of the city government, unless otherwise
 905 provided by state or federal law.

906 **SECTION 5.02.**

907 Preparation of budgets.

908 The city council shall provide, by ordinance, the procedures and requirements for the
 909 preparation and execution of an annual operating budget and a capital budget, including
 910 requirements as to the scope, content, and form of such budgets and programs.

911 **SECTION 5.03.**

912 Submission of operating budget to city council.

913 (a) On or before a date fixed by the city council, but no later than the first day of the ninth
 914 month of the fiscal year currently ending, the city manager shall, after input, review, and
 915 comment by the mayor, submit to the city council a proposed operating budget and capital
 916 budget for the ensuing fiscal year. The budget shall be accompanied by a message from the
 917 mayor and city manager containing a statement of the general fiscal policies of the city, the
 918 important features of the budget, explanations of major changes recommended for the next
 919 fiscal year, a general summary of the budget, and such other comments and information as
 920 they may deem pertinent. The operating budget, capital budget, the budget message, and all

921 supporting documents shall be filed in the office of the city manager and shall be open to
922 public inspection.

923 (b) Beginning in the third year of the city's operation, the city manager and mayor are
924 required to present to the city council a budget which is balanced in projected spending and
925 revenues.

926 (c) Prior to passage of the budget, the city council shall hold a special public hearing at
927 which the budget will be presented and public comment on the budget will be solicited. The
928 date, time, and place of the special public hearing shall be announced no less than 30 days
929 prior to the scheduled date for such hearing.

930 (d) All unencumbered balances of appropriations in the current operating budget at the end
931 of the fiscal year shall lapse into the unappropriated surplus or reserves of the fund or funds
932 from which such appropriations were made. When a supplemental appropriation is certified
933 by the city manager to exist, these appropriations may be spent during the current fiscal year
934 following passage of a supplemental appropriation ordinance.

935 **SECTION 5.04.**

936 Action by city council on budget.

937 (a) The city council may amend the operating budget or capital budget proposed by the city
938 manager in accordance with subsection (a) of Section 5.03 of this charter, except that the
939 budget, as finally amended and adopted, shall provide for all expenditures required by law
940 or by other provisions of this charter and for all debt service requirements for the ensuing
941 fiscal year; and the total appropriations from any fund shall not exceed the estimated fund
942 balance, reserves, and revenues constituting the fund availability of such fund.

943 (b) The city council shall adopt a budget on or before the first day of the eleventh month of
944 the fiscal year currently ending. If the city council fails to adopt the budget by the prescribed
945 deadline, the operating budget and capital budget proposed by the mayor and city manager
946 shall be adopted without further action by the city council.

947 **SECTION 5.05.**

948 Procurement and property management.

949 No contract with the city shall be binding on the city unless it is in writing. The city council
950 may adopt procedures for the authorization of certain contracts without city attorney review
951 or city council approval. Absent the foregoing, no contract with the city shall be binding on
952 the city unless:

- 953 (1) It is drawn or submitted and reviewed by the city attorney and, as a matter of course,
 954 is signed by the city attorney to indicate such drafting or review; and
 955 (2) It is made or authorized by the city council and such approval is entered in the city
 956 council journal of proceedings.

957 **SECTION 5.06.**

958 Purchasing.

959 The city council shall prescribe procedures for a system of centralized purchasing for the
 960 city.

961 **SECTION 5.07.**

962 Audits.

- 963 (a) There shall be an annual independent audit of all city accounts, funds, and financial
 964 transactions by a certified public accountant selected by the city council. The audit shall be
 965 conducted according to generally accepted accounting principles. Any audit of any funds by
 966 the state or federal government may be accepted as satisfying the requirements of this
 967 charter. Copies of all audit reports shall be available at printing cost to the public.
 968 (b) As a minimum, all audits and budgets of the city shall satisfy the requirements of
 969 Chapter 81 of Title 36 of the O.C.G.A. relating to local government audits and budgets.

970 **SECTION 5.08.**

971 Homestead exemption; freeze.

- 972 (a) As used in this section, the term:
- 973 (1) "Ad valorem taxes for municipal purposes" means all municipal ad valorem taxes for
 974 municipal purposes levied by, for, or on behalf of the City of Lakeside, including, but not
 975 limited to, ad valorem taxes to pay interest on and to retire municipal bonded
 976 indebtedness.
- 977 (2) "Base year" means the taxable year immediately preceding the taxable year in which
 978 the exemption under this section is first granted to the most recent owner of such
 979 homestead.
- 980 (3) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
 981 the O.C.G.A., as amended, with the additional qualification that it shall include not more
 982 than five contiguous acres of homestead property.

983 (b) Each resident of the City of Lakeside is granted an exemption on that person's homestead
984 from City of Lakeside ad valorem taxes for municipal purposes in an amount equal to the
985 amount by which the current year assessed value of that homestead exceeds the base year
986 assessed value of that homestead. This exemption shall not apply to taxes assessed on
987 improvements to the homestead or additional land that is added to the homestead after
988 January 1 of the base year. If any real property is added to or removed from the homestead,
989 the base year assessed value shall be adjusted to reflect such addition or removal, and the
990 exemption shall be recalculated accordingly. The value of that property in excess of such
991 exempted amount shall remain subject to taxation.

992 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
993 section unless the person or person's agent files an application with the governing authority
994 of the City of Lakeside, or the designee thereof, giving such information relative to receiving
995 such exemption as will enable the governing authority of the City of Lakeside, or the
996 designee thereof, to make a determination regarding the initial and continuing eligibility of
997 such owner for such exemption. The governing authority of the City of Lakeside, or the
998 designee thereof, shall provide application forms for this purpose.

999 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
1000 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
1001 so long as the owner occupies the residence as a homestead. After a person has filed the
1002 proper application as provided in subsection (c) of this section, it shall not be necessary to
1003 make application thereafter for any year, and the exemption shall continue to be allowed to
1004 such person. It shall be the duty of any person granted the homestead exemption under
1005 subsection (b) of this section to notify the governing authority of the City of Lakeside, or the
1006 designee thereof, in the event that person for any reason becomes ineligible for that
1007 exemption.

1008 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state
1009 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent
1010 school district ad valorem taxes for educational purposes. The homestead exemption granted
1011 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead
1012 exemption applicable to municipal ad valorem taxes for municipal purposes.

1013 (f) The exemption granted by subsection (b) of this section shall apply only to taxable years
1014 2015 through 2017. Unless renewed or extended by subsequent Act of the General
1015 Assembly, the exemption granted by subsection (b) of this section shall not apply to taxable
1016 year 2018 or any subsequent taxable year.

SECTION 5.09.

Homestead exemption; senior citizens; disabled.

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

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

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

(3) "Income" means Georgia taxable net income determined pursuant to Chapter 7 of Title 48 of the O.C.G.A., as amended, for state income tax purposes, except income shall not include income received as retirement, survivor, or disability benefits under the federal Social Security Act or under any other public or private retirement, disability, or pension system, except such income which is in excess of the maximum amount authorized to be paid to an individual and such individual's spouse under the federal Social Security Act. Income from such sources in excess of such maximum amount shall be included as income for the purposes of this Act.

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

(b) Each resident of the City of Lakeside who is disabled or is a senior citizen is granted an exemption on that person's homestead from City of Lakeside ad valorem taxes for municipal purposes in the amount of \$14,000.00 of the assessed value of that homestead. The exemption granted by this subsection shall only be granted if that person's income, together with the income of the spouse who also occupies and resides at such homestead, does not exceed \$15,000.00 for the immediately preceding year. The value of that property in excess of such exempted amount shall remain subject to taxation.

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

(2) A person shall not receive the homestead exemption granted by subsection (b) of this section unless the person or person's agent files an application with the governing

1053 authority of the City of Lakeside, or the designee thereof, giving the person's age, income,
 1054 and such additional information relative to receiving such exemption as will enable the
 1055 governing authority of the City of Lakeside, or the designee thereof, to make a
 1056 determination regarding the initial and continuing eligibility of such owner for such
 1057 exemption. The governing authority of the City of Lakeside, or the designee thereof,
 1058 shall provide application forms for this purpose.

1059 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
 1060 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
 1061 so long as the owner occupies the residence as a homestead. After a person has filed the
 1062 proper application, as provided in subsection (c) of this section, it shall not be necessary to
 1063 make application thereafter for any year and the exemption shall continue to be allowed to
 1064 such person. It shall be the duty of any person granted the homestead exemption under
 1065 subsection (b) of this section to notify the governing authority of the City of Lakeside, or the
 1066 designee thereof, in the event that person for any reason becomes ineligible for that
 1067 exemption.

1068 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state
 1069 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent
 1070 school district ad valorem taxes for educational purposes. The homestead exemption granted
 1071 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead
 1072 exemption applicable to municipal ad valorem taxes for municipal purposes.

1073 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
 1074 beginning on or after January 1, 2015.

1075 **SECTION 5.10.**

1076 Homestead exemption; general.

1077 (a) As used in this section, the term:

1078 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
 1079 purposes levied by, for, or on behalf of the City of Lakeside, including, but not limited to,
 1080 any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1081 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
 1082 the O.C.G.A., as amended.

1083 (b) Each resident of the City of Lakeside is granted an exemption on that person's homestead
 1084 from City of Lakeside ad valorem taxes for municipal purposes in the amount of \$10,000.00
 1085 of the assessed value of that homestead. The value of that property in excess of such
 1086 exempted amount shall remain subject to taxation.

1087 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
 1088 section unless the person or person's agent files an application with the governing authority
 1089 of the City of Lakeside, or the designee thereof, giving such information relative to receiving
 1090 such exemption as will enable the governing authority of the City of Lakeside, or the
 1091 designee thereof, to make a determination regarding the initial and continuing eligibility of
 1092 such owner for such exemption. The governing authority of the City of Lakeside, or the
 1093 designee thereof, shall provide application forms for this purpose.

1094 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
 1095 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
 1096 so long as the owner occupies the residence as a homestead. After a person has filed the
 1097 proper application, as provided in subsection (c) of this section, it shall not be necessary to
 1098 make application thereafter for any year and the exemption shall continue to be allowed to
 1099 such person. It shall be the duty of any person granted the homestead exemption under
 1100 subsection (b) of this section to notify the governing authority of the City of Lakeside, or the
 1101 designee thereof, in the event that person for any reason becomes ineligible for that
 1102 exemption.

1103 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state
 1104 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent
 1105 school district ad valorem taxes for educational purposes. The homestead exemption granted
 1106 by subsection (b) of this section shall be in addition to and not in lieu of any other
 1107 homestead exemption applicable to municipal ad valorem taxes for municipal purposes.

1108 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
 1109 beginning on or after January 1, 2015.

1110 **SECTION 5.11.**

1111 Homestead exemption; surviving spouses.

1112 (a) As used in this section, the term:

1113 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
 1114 purposes levied by, for, or on behalf of the City of Lakeside, including, but not limited
 1115 to, ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1116 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
 1117 the O.C.G.A., as amended.

1118 (3) "Unremarried surviving spouse" of a member of the armed forces includes the
 1119 unmarried widow or widower of a member of the armed forces who is receiving spousal
 1120 benefits from the United States Department of Veterans Affairs.

1121 (b) Any person who is a resident of the City of Lakeside and who is an unremarried
1122 surviving spouse of a member of the armed forces of the United States, which member has
1123 been killed in or has died as a result of any war or armed conflict in which the armed forces
1124 of the United States engaged, whether under United States command or otherwise, shall be
1125 granted a homestead exemption from all City of Lakeside ad valorem taxation for municipal
1126 purposes in the amount of the greater of \$32,500.00 or the maximum amount which may be
1127 granted to a disabled veteran under Section 2102 of Title 38 of the United States Code, as
1128 amended. As of January 1, 2013, the maximum amount which may be granted to a disabled
1129 veteran under Section 2102 of Title 38 of the United States Code, as amended, is \$50,000.00.
1130 The exemption shall be on the homestead which the unremarried surviving spouse owns and
1131 actually occupies as a residence and homestead. In the event such surviving spouse
1132 remarries, such person shall cease to be qualified to continue the exemption under this Act
1133 effective December 31 of the taxable year in which such person remarries. The value of all
1134 property in excess of such exemption granted to such unremarried surviving spouse shall
1135 remain subject to taxation.

1136 (c) In order to qualify for the exemption provided for in this Act, the unremarried surviving
1137 spouse shall furnish to the governing authority of the City of Lakeside, or the designee
1138 thereof, documents from the Secretary of Defense evidencing that such unremarried
1139 surviving spouse receives spousal benefits as a result of the death of such person's spouse
1140 who as a member of the armed forces of the United States was killed or died as a result of
1141 a war or armed conflict while on active duty or while performing authorized travel to or from
1142 active duty during such war or armed conflict in which the armed forces of the United States
1143 engaged, whether under United States command or otherwise, pursuant to the Survivor
1144 Benefit Plan under Subchapter II of Chapter 73 of Title 10 of the United States Code or
1145 pursuant to any preceding or subsequent federal law which provides survivor benefits for
1146 spouses of members of the armed forces who were killed or who died as a result of any war
1147 or armed conflict.

1148 (d) An unremarried surviving spouse filing for the exemption under this section shall be
1149 required to file with the governing authority of the City of Lakeside, or the designee thereof,
1150 information relative to marital status and other such information which the governing
1151 authority of the City of Lakeside, or the designee thereof, deems necessary to determine
1152 eligibility for the exemption. Each unremarried surviving spouse shall file for the exemption
1153 only once with the governing authority of the City of Lakeside or the designee thereof. Once
1154 filed, the exemption shall automatically be renewed from year to year, except that the
1155 governing authority of the City of Lakeside or the designee thereof may require annually that
1156 the holder of an exemption substantiate his or her continuing eligibility for the exemption.
1157 It shall be the duty of any person granted the homestead exemption under this section to

1158 notify the governing authority of the City of Lakeside or the designee thereof in the event
1159 that person for any reason becomes ineligible for such exemption.

1160 (e) The exemption granted by this section shall be in lieu of and not in addition to any other
1161 exemption from ad valorem taxation for municipal purposes which is equal to or lower in
1162 amount than such exemption granted by this section. If the amount of any other exemption
1163 from ad valorem taxation for municipal purposes applicable to any resident qualifying under
1164 this section is greater than or is increased to an amount greater than the amount of the
1165 applicable exemption granted by this section, such other exemption shall apply and shall be
1166 in lieu of and not in addition to the exemption granted by this section.

1167 (f) The exemptions granted by this section shall apply to all tax years beginning on or after
1168 January 1, 2015.

1169 **SECTION 5.12.**

1170 Homestead exemption; mill equivalent.

1171 (a) As used in this section, the term:

1172 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
1173 purposes levied by, for, or on behalf of the City of Lakeside, including, but not limited
1174 to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1175 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
1176 the O.C.G.A., as amended.

1177 (b) Each resident of the City of Lakeside is granted an exemption on that person's homestead
1178 from City of Lakeside ad valorem taxes for municipal purposes in an amount that provides
1179 the dollar equivalent of a 2.15 mill reduction of the millage rate applicable to the homestead
1180 property with respect to ad valorem taxes for municipal purposes for the taxable year. The
1181 value of that property in excess of such exempted amount shall remain subject to taxation.

1182 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
1183 section unless the person or person's agent files an application with the governing authority
1184 of the City of Lakeside or the designee thereof giving such information relative to receiving
1185 such exemption as will enable the governing authority of the City of Lakeside or the designee
1186 thereof to make a determination regarding the initial and continuing eligibility of such owner
1187 for such exemption. The governing authority of the City of Lakeside or the designee thereof
1188 shall provide application forms for this purpose.

1189 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
1190 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
1191 so long as the owner occupies the residence as a homestead. After a person has filed the
1192 proper application, as provided in subsection (c) of this section, it shall not be necessary to

1193 make application thereafter for any year and the exemption shall continue to be allowed to
 1194 such person. It shall be the duty of any person granted the homestead exemption under
 1195 subsection (b) of this section to notify the governing authority of the City of Lakeside or the
 1196 designee thereof in the event that person for any reason becomes ineligible for that
 1197 exemption.

1198 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state
 1199 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent
 1200 school district ad valorem taxes for educational purposes. The homestead exemption granted
 1201 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead
 1202 exemption applicable to municipal ad valorem taxes for municipal purposes.

1203 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
 1204 beginning on or after January 1, 2015.

1205 **SECTION 5.13.**

1206 Homestead exemption; fire special tax district HOST equivalent.

1207 (a) As used in this section, the term:

1208 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
 1209 purposes levied by, for, or on behalf of the City of Lakeside, including, but not limited
 1210 to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1211 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
 1212 the O.C.G.A., as amended.

1213 (b) In the event that fire services are transferred from DeKalb County to the City of Lakeside
 1214 and the city assumes responsibility for the provision of fire services within the city, each
 1215 resident of the City of Lakeside is granted an exemption on that person's homestead from
 1216 City of Lakeside ad valorem taxes for municipal purposes in a fixed amount equal to the
 1217 HOST tax credit provided to DeKalb County residents who participate in the fire services
 1218 special tax district at a level equal to the average percentage credit for the five years
 1219 immediately preceding the transfer of fire services from the county to the city. The value of
 1220 that property in excess of such exempted amount shall remain subject to taxation.

1221 (c) A person shall receive the homestead exemption granted by subsection (b) of this section
 1222 provided that the person or person's agent has filed or files an application with the governing
 1223 authority of the City of Lakeside or the designee thereof in accordance with subsection (c)
 1224 of Section 5.10 of this charter or subsection (c) of Section 5.12 of this charter, giving such
 1225 information relative to receiving such exemption as will enable the governing authority of
 1226 the City of Lakeside or the designee thereof to make a determination regarding the initial and
 1227 continuing eligibility of such owner for such exemption. No additional homestead

1228 exemption application form or application shall be required to grant the homestead
1229 exemption under this section.

1230 (d) The exemption shall be automatically renewed from year to year so long as the owner
1231 occupies the residence as a homestead. After a person has filed the proper application, it
1232 shall not be necessary to make application thereafter for any year and the exemption shall
1233 continue to be allowed to such person. It shall be the duty of any person granted the
1234 homestead exemption under subsection (b) of this section to notify the governing authority
1235 of the City of Lakeside or the designee thereof in the event that person for any reason
1236 becomes ineligible for that exemption.

1237 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state
1238 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent
1239 school district ad valorem taxes for educational purposes. The homestead exemption granted
1240 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead
1241 exemption applicable to municipal ad valorem taxes for municipal purposes.

1242 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
1243 beginning in the year in which DeKalb County transfers fire services to the City of Lakeside
1244 and the city assumes responsibility for the provision of fire services within the city. In the
1245 event that the transfer of services does not coincide with the end of the tax year, the
1246 homestead exemption shall be prorated in the first year in an amount equal to the percent of
1247 the first year in which the city provides fire services.

1248 ARTICLE VI

1249 GENERAL PROVISIONS

1250 SECTION 6.01.

1251 DeKalb County special services tax district.

1252 For the taxable years beginning on or after January 1, 2015, the adjusted ad valorem tax
1253 millage rate and amount for service charges or fees for district services for the Lakeside
1254 special services tax district shall be zero percent. This section is enacted pursuant to the
1255 authority granted to the General Assembly under Section 1 of that local constitutional
1256 amendment providing that certain municipalities in DeKalb County shall constitute special
1257 services tax districts, Resolution Act. No. 168; House Resolution No. 715-1916; Ga. L. 1978,
1258 p. 2468, to control the subject matter of such local constitutional amendment. Municipal
1259 services provided by DeKalb County for the City of Lakeside will be established through
1260 intergovernmental agreements or established as otherwise authorized by statute.

SECTION 6.02.

Referendum and initial election.

(a) The election superintendent of DeKalb County shall call a special election for the purpose of submitting this Act to the qualified voters of the proposed City of Lakeside for approval or rejection. The superintendent shall set the date of such election for the date of the general primary in 2014. The superintendent shall issue the call for such election at least 60 days prior to the date thereof. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of DeKalb County. The ballot shall have written or printed thereon the words:

"() YES Shall the Act incorporating the City of Lakeside in DeKalb County
() NO according to the charter contained in the Act and the homestead exemptions described in the Act be approved?"

All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, it shall become of full force and effect as provided in this charter, otherwise it shall be void and of no force and effect. The initial expense of such election shall be borne by DeKalb County. Within two years after the elections if the incorporation is approved, the City of Lakeside shall reimburse DeKalb County for the actual cost of printing and personnel services for such election and for the initial election of the mayor and councilmembers pursuant to Section 2.02 of this charter. It shall be the duty of the superintendent to hold and conduct such election. It shall be his or her further duty to certify the result thereof to the Secretary of State.

(b) For the purposes of the referendum election provided for in subsection (a) of this section and for the purposes of the special election of the City of Lakeside to be held on the Tuesday next following the first Monday in November, 2014, the qualified electors of the City of Lakeside shall be those qualified electors of DeKalb County residing within the corporate limits of the City of Lakeside as described by Appendix A of this charter. At subsequent municipal elections, the qualified electors of the City of Lakeside shall be determined pursuant to the authority of Chapter 2 of Title 21 of the O.C.G.A. known as the "Georgia Election Code."

(c) Only for the purposes of holding and conducting the referendum election provided for by subsection (a) of this section and holding and conducting the special election of the City of Lakeside to be held on the Tuesday next following the first Monday in November, 2014, the election superintendent of DeKalb County is vested with the powers and duties

1296 of the election superintendent of the City of Lakeside and the powers and duties of the
1297 governing authority of the City of Lakeside.

1298 **SECTION 6.03.**

1299 Effective dates and transition.

1300 (a) The initial mayor and councilmembers shall take the oath of office the next business day
1301 after certification of the election of such officers, and by action of any four members of the
1302 governing authority may, prior to December 15, 2014, meet and take actions binding on the
1303 city.

1304 (b) A period of time will be needed for an orderly transition of various government functions
1305 from DeKalb County to the City of Lakeside. Accordingly there shall be a two-year
1306 transition period as allowed by law beginning at 12:01 A.M. on December 15, 2014.

1307 (c) During such transition period, DeKalb County shall continue to provide within the
1308 territorial limits of the city all government services and functions which DeKalb County
1309 provided in 2014 and at the same actual direct cost and level of service, except to the extent
1310 otherwise provided in this section; provided, however, that upon at least 30 days' prior
1311 written notice to the governing authority of DeKalb County by the governing authority of the
1312 City of Lakeside, responsibility for any such service or function shall be transferred to the
1313 City of Lakeside. The governing authority of the City of Lakeside shall determine the date
1314 of commencement of collection of taxes, fees, assessments, fines and forfeitures, and other
1315 moneys within the territorial limits of the city and the date upon which the City of Lakeside
1316 is considered removed from the special services tax district.

1317 (d) During the transition period, the governing authority of the City of Lakeside may
1318 generally exercise any power granted by this charter or general law, except to the extent that
1319 a power is specifically and integrally related to the provision of a governmental service,
1320 function, or responsibility not yet provided or carried out by the city.

1321 (e) During the transition period, all ordinances of DeKalb County shall remain applicable
1322 within the territorial limits of the city unless otherwise amended, repealed, or replaced by the
1323 City of Lakeside. Any transfer of jurisdiction to the City of Lakeside during or at the end of
1324 the transition period shall not in and of itself abate any judicial proceeding pending in
1325 DeKalb County or the pending prosecution of any violation of any ordinance of DeKalb
1326 County.

1327 (f) During the transition period, the governing authority of the City of Lakeside may at any
1328 time, without the necessity of any agreement by DeKalb County, commence to exercise its
1329 planning and zoning powers; provided, however, that the city shall give the county notice of
1330 the date on which the city will assume the exercise of such powers. Upon the governing

1331 authority of the City of Lakeside commencing to exercise its planning and zoning powers,
1332 the Municipal Court of the City of Lakeside shall immediately have jurisdiction to enforce
1333 the planning and zoning ordinances of the city. The provisions of this subsection shall
1334 control over any conflicting provisions of any other subsection of this section.

1335 (g) Effective upon the termination of the transition period, subsections (b) through (f) of this
1336 section shall cease to apply except for the last sentence of subsection (e) which shall remain
1337 effective. Effective upon the termination of the transition period, the City of Lakeside shall
1338 be a fully functioning municipal corporation and subject to all general laws of this state.

1339 **SECTION 6.04.**

1340 Charter commission.

1341 No later than five years after the inception of the City of Lakeside, the mayor and the city
1342 council shall call for a charter commission to review the city's experience and recommend
1343 to the General Assembly any changes to the charter. Members of the charter commission
1344 shall be appointed as follows: one by the mayor, one by each member of the city council, and
1345 one member appointed by a vote of the members of the Georgia House of Representatives
1346 and Georgia Senate whose districts lie wholly or partially within the corporate boundaries
1347 of the City of Lakeside. All members of the charter commission shall reside in the City of
1348 Lakeside. The commission shall complete the recommendations within the time frame
1349 required by the city council.

1350 **SECTION 6.05.**

1351 Severability.

1352 In the event any section, subsection, sentence, clause, or phrase of this Act shall be declared
1353 or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other
1354 sections, subsections, sentences, clauses, or phrases of this Act, which shall remain of full
1355 force and effect, as if the section, subsection, sentence, clause, or phrase so declared or
1356 adjudged invalid or unconstitutional were not originally a part hereof. The General
1357 Assembly hereby declares that it would have passed the remaining parts of this Act if it had
1358 known that such part or parts hereof would be declared or adjudged invalid or
1359 unconstitutional.

1360 **SECTION 6.06.**

1361 Effective date.

1362 This Act shall become effective upon its approval by the Governor or upon its becoming law
1363 without such approval.

1364 **SECTION 6.07.**

1365 Repealer.

1366 All laws and parts of laws in conflict with this Act are repealed.

1367 **APPENDIX A**
1368 **CORPORATE LIMITS**
1369 **CITY OF LAKESIDE, DEKALB COUNTY, GEORGIA**

1370 The corporate limits for the City of Lakeside shall contain the following described territory:

1371 DeKalb County

1372 VTD: 089BC - BRIAR VISTA ELEMENTARY

1373 021504:

1374 1000 1001 1002 1003 1004 1005 1006 1007

1375 VTD: 089BD - BRIARLAKE ELEMENTARY

1376 VTD: 089BG - BRIARCLIFF

1377 VTD: 089CJ - CLAIRMONT HILLS

1378 021602:

1379 2026 2028

1380 VTD: 089CW - CORALWOOD

1381 VTD: 089EC - EMBRY HILLS

1382 VTD: 089EF - EVANSDALE ELEM

1383 021705:

1384 1000 1001 1002 1003 2001 2002 2003 2004 2005 2024 2025 2026

1385 021808:

1386 1000 1001 1002 1003 1004 1005 1006 1007 1008 1011 1012 1013

1387 1016 1017 1018 1019 1021 1022 1023 1028 1029 2005 2015 2016

1388 2017 2018 2019 2020 2021 2022 2023 2025 2026 2028

1389 VTD: 089ER - EMORY ROAD

1390 021504:

1391 2003 2004 2005 2006
 1392 022402:
 1393 2000 2001 2002 2003 2004 2005
 1394 VTD: 089HB - HAWTHORNE ELEM
 1395 021705:
 1396 3006 3007 3010 3011 3012
 1397 021706:
 1398 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 2000
 1399 2001 2002 2003 2004 2006 2007 2008 2009 2010 2011 2012 2013
 1400 2014 2015 2016 4008 4009
 1401 VTD: 089HC - HENDERSON MILL
 1402 VTD: 089HD - HERITAGE ED
 1403 VTD: 089LA - LAKESIDE HIGH
 1404 VTD: 089LB - LAVISTA ROAD
 1405 VTD: 089LC - LAVISTA
 1406 021503:
 1407 1000 1001 1002 1003 1004 1005 3000 3001 3002 3003
 1408 VTD: 089MH - MIDVALE ELEM
 1409 VTD: 089MJ - MONTCLAIR ELEM
 1410 021603:
 1411 2001 2002 2003 2004 2006
 1412 VTD: 089MP - MARGARET HARRIS
 1413 021603:
 1414 2005 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020
 1415 2021 3000 3001 3002 3003 3004 3005 3006 3007
 1416 VTD: 089MW - MIDVALE ROAD
 1417 VTD: 089ND - NORTHLAKE
 1418 VTD: 089OA - OAK GROVE ELEM
 1419 VTD: 089PF - PLEASANTDALE ELEM
 1420 VTD: 089PK - PLEASANTDALE ROAD
 1421 VTD: 089RD - REHOBOTH
 1422 021704:
 1423 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018
 1424 1019 1020 1021 1022 1023 1024 1025 2005 2006 2007 2008 2009
 1425 2010 2011 2012 2013 2014
 1426 022001:
 1427 2000 2001 2002 2003 2007 2008 2009 2010 2011 2012 2013 2022

1428 VTD: 089SA - SAGAMORE HILLS
 1429 VTD: 089SN - SHAMROCK MIDDLE
 1430 VTD: 089VB - VALLEY BROOK
 1431 022204:
 1432 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 1433 1012 1013 1018
 1434 VTD: 089WI - WARREN TECH
 1435 021705:
 1436 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015
 1437 2015 2018 2019 2027 2029 2030 2031 2032 2033 2034
 1438 021808:
 1439 2024

1440 For the purposes of such corporate limit descriptions:

1441 (1) The term "VTD" shall mean and describe the same geographical boundaries as
 1442 provided in the report of the Bureau of the Census for the United States decennial census
 1443 of 2010 for the State of Georgia. The separate numeric designations in a district
 1444 description which are underneath a VTD heading shall mean and describe individual
 1445 Blocks within a VTD as provided in the report of the Bureau of the Census for the United
 1446 States decennial census of 2010 for the State of Georgia; and
 1447 (2) Except as otherwise provided in the description of any district, whenever the
 1448 description of any district refers to a named city, it shall mean the geographical
 1449 boundaries of that city as shown on the census maps for the United States decennial
 1450 census of 2010 for the State of Georgia.

1451 APPENDIX B

1452 COUNCIL DISTRICTS

1453 CITY OF LAKESIDE, DEKALB COUNTY, GEORGIA

1454 Plan: cityoflakeside-prop5-2014

1455 Plan Type: Local

1456 Administrator: Taylor (079)

1457 User: bak

1458 District 001

1459 DeKalb County

1460 VTD: 089EC - EMBRY HILLS
 1461 021808:
 1462 2000 2001 2002 2003 2004 2006 2007 2008 2027
 1463 021812:
 1464 2012 2013 2014 2015 2016 2017 2018 2019
 1465 VTD: 089EF - EVANSDALE ELEM
 1466 021705:
 1467 1000 1001 1002 1003 2001 2002 2003 2004 2005 2024 2025 2026
 1468 VTD: 089PF - PLEASANTDALE ELEM
 1469 VTD: 089PK - PLEASANTDALE ROAD
 1470 VTD: 089WI - WARREN TECH
 1471 021705:
 1472 1004 1005 1006 1007 1008 1009 1011 1012 1013 1014 1015 2015
 1473 2018 2019 2027 2029 2030 2031 2032 2033 2034

 1474 District 002
 1475 DeKalb County
 1476 VTD: 089EC - EMBRY HILLS
 1477 021808:
 1478 2009 2010 2011 2012 2013 2014
 1479 021809:
 1480 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009
 1481 VTD: 089EF - EVANSDALE ELEM
 1482 021808:
 1483 1000 1001 1002 1003 1004 1005 1006 1007 1008 1011 1012 1013
 1484 1016 1017 1018 1019 1021 1022 1023 1028 1029 2005 2015 2016
 1485 2017 2018 2019 2020 2021 2022 2023 2025 2026 2028
 1486 VTD: 089HC - HENDERSON MILL
 1487 021705:
 1488 3000 3001 3002 3003 3004 3005 3009
 1489 021706:
 1490 3000 3001 3002 3003 3004 3005 3009 3010 3012 3013 3014 3015
 1491 4000 4001 4002 4003 4004 4005 4006 4010 4011 4012 4013 4014
 1492 VTD: 089MH - MIDVALE ELEM
 1493 VTD: 089MW - MIDVALE ROAD
 1494 VTD: 089WI - WARREN TECH
 1495 021705:

1496 1010
 1497 021808:
 1498 2024

 1499 District 003
 1500 DeKalb County
 1501 VTD: 089BD - BRIARLAKE ELEMENTARY
 1502 VTD: 089HB - HAWTHORNE ELEM
 1503 021705:
 1504 3006 3007 3010 3011 3012
 1505 021706:
 1506 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 2000
 1507 2001 2002 2003 2004 2006 2007 2008 2009 2010 2011 2012 2013
 1508 2014 2015 2016 4008 4009
 1509 VTD: 089HC - HENDERSON MILL
 1510 021705:
 1511 3008
 1512 021706:
 1513 3006 3007 3008 3011 4007
 1514 VTD: 089HD - HERITAGE ED
 1515 VTD: 089LA - LAKESIDE HIGH
 1516 VTD: 089OA - OAK GROVE ELEM
 1517 021604:
 1518 1000 1001 1002 1003 1004 1005 1012
 1519 021605:
 1520 1015 1016 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009
 1521 2010 2011 2012 2013 2014 2015 2016 2017 3007
 1522 021703:
 1523 2024

 1524 District 004
 1525 DeKalb County
 1526 VTD: 089CJ - CLAIRMONT HILLS
 1527 021602:
 1528 2026 2028
 1529 VTD: 089CW - CORALWOOD
 1530 VTD: 089ND - NORTHLAKE

1531 VTD: 089RD - REHOBOTH
 1532 021704:
 1533 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018
 1534 1019 1020 1021 1022 1023 1024 1025 2005 2006 2007 2008 2009
 1535 2010 2011 2012 2013 2014
 1536 022001:
 1537 2000 2001 2002 2003 2007 2008 2009 2010 2011 2012 2013 2022
 1538 VTD: 089SA - SAGAMORE HILLS
 1539 VTD: 089SN - SHAMROCK MIDDLE
 1540 VTD: 089VB - VALLEY BROOK
 1541 022204:
 1542 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 1543 1012 1013 1018

 1544 District 005
 1545 DeKalb County
 1546 VTD: 089BC - BRIAR VISTA ELEMENTARY
 1547 021504:
 1548 1000 1001 1002 1003 1004 1005 1006 1007
 1549 VTD: 089BG - BRIARCLIFF
 1550 VTD: 089ER - EMORY ROAD
 1551 021504:
 1552 2003 2004 2005 2006
 1553 022402:
 1554 2000 2001 2002 2003 2004 2005
 1555 VTD: 089LB - LAVISTA ROAD
 1556 VTD: 089LC - LAVISTA
 1557 021503:
 1558 1000 1001 1002 1003 1004 1005 3000 3001 3002 3003
 1559 VTD: 089MJ - MONTCLAIR ELEM
 1560 021603:
 1561 2001 2002 2003 2004 2006
 1562 VTD: 089MP - MARGARET HARRIS
 1563 021603:
 1564 2005 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020
 1565 2021 3000 3001 3002 3003 3004 3005 3006 3007
 1566 VTD: 089OA - OAK GROVE ELEM

1567 021605:
1568 3008 3012 3013 3014 3015

1569 For the purposes of this plan (cityoflakeside-prop5-2014):

1570 (1) The term "VTD" shall mean and describe the same geographical boundaries as
1571 provided in the report of the Bureau of the Census for the United States decennial census
1572 of 2010 for the State of Georgia. The separate numeric designations in a district
1573 description which are underneath a VTD heading shall mean and describe individual
1574 Blocks within a VTD as provided in the report of the Bureau of the Census for the United
1575 States decennial census of 2010 for the State of Georgia; and

1576 (2) Except as otherwise provided in the description of any district, whenever the
1577 description of any district refers to a named city, it shall mean the geographical
1578 boundaries of that city as shown on the census maps for the United States decennial
1579 census of 2010 for the State of Georgia.

1580 (3) Any part of the City of Lakeside which is not included in any district described in
1581 this plan (cityoflakeside-prop5-2014) shall be included within that district contiguous to
1582 such part which contains the least population according to the United States decennial
1583 census of 2010 for the State of Georgia.

1584 (4) Any part of the City of Lakeside which is described in this plan
1585 (cityoflakeside-prop5-2014) as being included in a particular district shall nevertheless
1586 not be included within such district if such part is not contiguous to such district. Such
1587 noncontiguous part shall instead be included within that district contiguous to such part
1588 which contains the least population according to the United States decennial census of
1589 2010 for the State of Georgia.

1590 Plan: cityoflakeside-prop5(super)-2014

1591 Plan Type: Local

1592 Administrator: Taylor (079)

1593 User: bak

1594 District 006

1595 DeKalb County

1596 VTD: 089BD - BRIARLAKE ELEMENTARY

1597 VTD: 089EC - EMBRY HILLS

1598 VTD: 089EF - EVANSDALE ELEM

1599 021705:

1600 1000 1001 1002 1003 2001 2002 2003 2004 2005 2024 2025 2026

1601 021808:
 1602 1000 1001 1002 1003 1004 1005 1006 1007 1008 1011 1012 1013
 1603 1016 1017 1018 1019 1021 1022 1023 1028 1029 2005 2015 2016
 1604 2017 2018 2019 2020 2021 2022 2023 2025 2026 2028
 1605 VTD: 089HB - HAWTHORNE ELEM
 1606 021705:
 1607 3006 3007 3010 3011 3012
 1608 021706:
 1609 1000 1001 1004 1005 1007 2000 2001 2002 2003 2004 2006 2007
 1610 4008 4009
 1611 VTD: 089HC - HENDERSON MILL
 1612 VTD: 089LA - LAKESIDE HIGH
 1613 VTD: 089MH - MIDVALE ELEM
 1614 VTD: 089MW - MIDVALE ROAD
 1615 VTD: 089PF - PLEASANTDALE ELEM
 1616 VTD: 089PK - PLEASANTDALE ROAD
 1617 VTD: 089WI - WARREN TECH
 1618 021705:
 1619 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015
 1620 2015 2018 2019 2027 2029 2030 2031 2032 2033 2034
 1621 021808:
 1622 2024

 1623 District 007
 1624 DeKalb County
 1625 VTD: 089BC - BRIAR VISTA ELEMENTARY
 1626 021504:
 1627 1000 1001 1002 1003 1004 1005 1006 1007
 1628 VTD: 089BG - BRIARCLIFF
 1629 VTD: 089CJ - CLAIRMONT HILLS
 1630 021602:
 1631 2026 2028
 1632 VTD: 089CW - CORALWOOD
 1633 VTD: 089ER - EMORY ROAD
 1634 021504:
 1635 2003 2004 2005 2006
 1636 022402:

1637 2000 2001 2002 2003 2004 2005
 1638 VTD: 089HB - HAWTHORNE ELEM
 1639 021706:
 1640 1002 1003 1006 1008 1009 1010 2008 2009 2010 2011 2012 2013
 1641 2014 2015 2016
 1642 VTD: 089HD - HERITAGE ED
 1643 VTD: 089LB - LAVISTA ROAD
 1644 VTD: 089LC - LAVISTA
 1645 021503:
 1646 1000 1001 1002 1003 1004 1005 3000 3001 3002 3003
 1647 VTD: 089MJ - MONTCLAIR ELEM
 1648 021603:
 1649 2001 2002 2003 2004 2006
 1650 VTD: 089MP - MARGARET HARRIS
 1651 021603:
 1652 2005 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020
 1653 2021 3000 3001 3002 3003 3004 3005 3006 3007
 1654 VTD: 089ND - NORTHLAKE
 1655 VTD: 089OA - OAK GROVE ELEM
 1656 VTD: 089RD - REHOBOTH
 1657 021704:
 1658 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018
 1659 1019 1020 1021 1022 1023 1024 1025 2005 2006 2007 2008 2009
 1660 2010 2011 2012 2013 2014
 1661 022001:
 1662 2000 2001 2002 2003 2007 2008 2009 2010 2011 2012 2013 2022
 1663 VTD: 089SA - SAGAMORE HILLS
 1664 VTD: 089SN - SHAMROCK MIDDLE
 1665 VTD: 089VB - VALLEY BROOK
 1666 022204:
 1667 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 1668 1012 1013 1018

1669 For the purposes of this plan (cityoflakeside-prop5(super)-2014):

1670 (1) The term "VTD" shall mean and describe the same geographical boundaries as
 1671 provided in the report of the Bureau of the Census for the United States decennial census
 1672 of 2010 for the State of Georgia. The separate numeric designations in a district

1673 description which are underneath a VTD heading shall mean and describe individual
 1674 Blocks within a VTD as provided in the report of the Bureau of the Census for the United
 1675 States decennial census of 2010 for the State of Georgia; and

1676 (2) Except as otherwise provided in the description of any district, whenever the
 1677 description of any district refers to a named city, it shall mean the geographical
 1678 boundaries of that city as shown on the census maps for the United States decennial
 1679 census of 2010 for the State of Georgia.

1680 (3) Any part of the City of Lakeside which is not included in any district described in
 1681 this plan (cityoflakeside-prop5(super)-2014) shall be included within that district
 1682 contiguous to such part which contains the least population according to the United States
 1683 decennial census of 2010 for the State of Georgia.

1684 (4) Any part of the City of Lakeside which is described in this plan
 1685 (cityoflakeside-prop5(super)-2014) as being included in a particular district shall
 1686 nevertheless not be included within such district if such part is not contiguous to such
 1687 district. Such noncontiguous part shall instead be included within that district contiguous
 1688 to such part which contains the least population according to the United States decennial
 1689 census of 2010 for the State of Georgia.

1690 APPENDIX C

1691 CERTIFICATE AS TO MINIMUM STANDARDS
 1692 FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

1693 I, Senator Fran Millar, Georgia State Senator from the 40th District and the author of this bill
 1694 introduced at the 2014 session of the General Assembly of Georgia, which grants an original
 1695 municipal charter to the City of Lakeside, do hereby certify that this bill is in compliance
 1696 with the minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. in that the
 1697 area embraced within the original incorporation in this bill is in all respects in compliance
 1698 with the minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. This
 1699 certificate is executed to conform to the requirements of Code Section 36-31-5 of the
 1700 O.C.G.A.

1701 So certified this 28th day of January, 2014.

1702 s/ Honorable Fran Millar
 1703 Senator, 40th District
 1704 Georgia State Senate