

House Bill 1020

By: Representatives Trammell of the 132<sup>nd</sup> and Nix of the 69<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To provide a new charter for the City of Hogansville; to provide for incorporation and  
2 boundaries; to provide for government composition and election, vesting of rights,  
3 assumption of debts, existing ordinances, continuing in office of the governing authority,  
4 vacancy in office, and conflicts of interest; to provide for the composition of the governing  
5 body, qualifications, holding other office and voting when personally interested, organization  
6 meetings, oaths, a mayor pro tempore, meetings, compelling attendance to same, rules of  
7 procedure, a quorum and voting, salaries and expenses, removal from office, vacancy, duties,  
8 inquiries and investigations, powers and duties of the mayor, legislation, and boards; to  
9 provide for powers and construction, and specific powers; to provide for elections; to provide  
10 for administration, for a city clerk, a city attorney, a city manager, and personnel policies;  
11 to provide for a municipal court, judges, convening, jurisdiction and powers, certiorari, and  
12 rules for court; to provide for finance and taxation, a fiscal year, bonds, budgets, depositories,  
13 contracting procedures, taxes and collection of same, short-term loans, and lease-purchase  
14 contracts; to provide for public improvements, utilities, and services; to provide for other  
15 matters relative to the foregoing; to provide a specific repealer; to provide an effective date;  
16 to repeal conflicting laws; and for other purposes.

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

18 **ARTICLE I**  
19 **INCORPORATION AND POWERS**  
20 **SECTION 1.01.**

21 Incorporation; name; style; designation; authority as body politic and corporate.

22 The City of Hogansville, in Troup County, heretofore made a body politic and corporate by  
23 Acts of the General Assembly of the State of Georgia, under the name of the City of  
24 Hogansville, shall continue as a body politic and corporate, known by the corporate name of  
25 the "City of Hogansville," hereinafter also referred to as "the city." As a body politic and

26 corporate, the city shall have authority to govern itself and its inhabitants by such ordinances,  
27 resolutions, rules, regulations and bylaws for municipal purposes as may be adopted and  
28 promulgated under the terms and provisions of this charter, not in conflict with the  
29 Constitution or laws of this state or of the United States, with authority in and by its  
30 corporate name to sue and be sued, plead and be impleaded in all courts, and have and use  
31 a common seal, buy, hold, exchange, sell and convey property, make all necessary and lawful  
32 contracts, transact all of its business, and do all other things necessary to promote the  
33 municipal corporate purposes of said city. Said corporation, through its city council, shall  
34 have all of the authority, powers and privileges incident to municipal corporations under the  
35 laws of the State of Georgia, and all other authority necessary and proper to make, regulate,  
36 maintain, and preserve a proper and legal government for said city.

37 **SECTION 1.02.**

38 Corporate boundaries.

39 The corporate limits of the city shall be as described below:

40 (a) The boundaries of this city shall be those existing on the effective date of the adoption  
41 of this charter with such alterations as may be made from time to time in the manner  
42 provided by law. The boundaries of this city at all times shall be shown on a map, a written  
43 description or any combination thereof, to be retained permanently in the office of the city  
44 clerk and to be designated, as the case may be: "Official Map of the Corporate Limits of  
45 the City of Hogansville, Georgia." Photographic, typed, or other copies of such map or  
46 description certified by the city clerk shall be admitted as evidence in all courts and shall  
47 have the same force and effect as with the original map or description.

48 (b) The city council may provide for the redrawing of any such map to reflect lawful  
49 changes in the corporate boundaries. The redrawn map shall supersede for all purposes the  
50 entire map or maps which it is designated to replace.

51 **SECTION 1.03.**

52 Government composition and election.

53 The legislative authority of the government of the City of Hogansville shall be vested in a  
54 mayor and five city council members, who shall be elected in the manner provided by Article  
55 IV of this charter.

56 **SECTION 1.04.**

57 Vesting of rights, etc.

58 All properties, titles, easements, hereditaments, privileges, and related rights and powers  
59 belonging or in any way appertaining to the City of Hogansville as heretofore incorporated,  
60 are hereby vested absolutely in the City of Hogansville, incorporated under this Act in the  
61 same manner and to the same extent as they were had by said former city.

62 **SECTION 1.05.**

63 Assumption of debts, etc.

64 The City of Hogansville, created by this Act, is hereby made responsible as a corporate body  
65 for all legal debts, liabilities, and undertakings of said city as heretofore incorporated.

66 **SECTION 1.06.**

67 Existing ordinances.

68 All ordinances, bylaws, rules, and regulations, now in force in the city, not inconsistent with  
69 this charter, are hereby declared valid and of force and effect until amended or repealed by  
70 the city council.

71 **SECTION 1.07.**

72 Continuation in office of mayor, council members, and other officers.

73 The mayor and council members who are serving in these offices of the city at the time of  
74 the approval of this charter shall continue to serve in their respective offices for and during  
75 the full terms for which they were elected. All elected officers shall continue in office until  
76 their successors are elected and qualified.

77 **SECTION 1.08.**

78 Vacancy in office on moving from city.

79 The removal of the mayor or any council member from within the limits of the city shall  
80 automatically vacate the office he or she may hold and said vacancy shall be filled as  
81 provided for in this charter.

82 **SECTION 1.09.**

83 Conflict of interests.

84 (a) No elected official of the city shall have any interest in any contract, either directly or  
 85 indirectly, to which the city is a party; neither shall any member of the council be allowed  
 86 to vote upon any question that he or she has any personal interest in whatever, but this  
 87 section shall not be construed to prevent the council from voting a member reasonable  
 88 compensation for expense incurred by such member in performing the duties required as  
 89 a member of council.

90 (b) No person holding any office in the city shall, during the time for which he or she was  
 91 elected or appointed, be capable of contracting with the city or its fully constituted officers,  
 92 for the performance of any work or services or the sale of any goods, which is to be paid  
 93 for out of the treasury, nor shall any such person be capable of holding or having any  
 94 interest in such contract, either by himself or herself or by another, directly or indirectly.

95 **ARTICLE II**

96 **CITY COUNCIL AND MAYOR**

97 **SECTION 2.01.**

98 Composition.

99 The governing body of the city shall be the mayor and five council members, in which is  
 100 vested all corporate, legislative, and other powers of the city, except as otherwise provided  
 101 in this charter.

102 **SECTION 2.02.**

103 Qualifications of mayor and council member.

104 To be eligible for the office of mayor or council member, a person shall be at least 21 years  
 105 of age, shall be registered and qualified to vote in municipal elections of the city, shall meet  
 106 the requirements of the laws of the State of Georgia to hold civil office, and shall have been  
 107 a bona fide resident of the city for at least one year next preceding the election in which he  
 108 or she offers as a candidate and shall continue to reside therein during the term of office.

109 **SECTION 2.03.**

110 Holding other office; voting when personally interested.

111 (a) Except as authorized by law, no member of the council shall hold any other elective city  
112 office or city employment during the term for which such member was elected.

113 (b) Neither the mayor nor any other member of the council shall vote upon any question in  
114 which he or she is personally interested.

115 **SECTION 2.04.**

116 Organization meeting; official oaths; mayor pro tempore.

117 The mayor and council shall meet and hold an organizational meeting at the first regular  
118 meeting in January. The meeting shall be called to order by the city clerk and the oath of  
119 office shall be administered by the city attorney to the newly elected members as follows:

120 "I do solemnly swear that I will well and truly perform the duties of the city and that I will  
121 support and defend the charter thereof as well as the Constitution and laws of the State of  
122 Georgia and of the United States of America." Following the induction of members, the  
123 council by majority vote of all the members thereof shall elect one of their number to be  
124 mayor pro tempore, who shall serve for a term of one year and until his or her successor is  
125 elected and qualified.

126 **SECTION 2.05.**

127 Meetings, regular and special.

128 (a) The council shall hold regular meetings at such times and places as prescribed by  
129 ordinance. The council may recess any regular meeting and continue such meetings on any  
130 weekday or hour it may fix prior to recess of said regular meeting, and may transact any  
131 business at such continued meeting as may be transacted at any regular meeting.

132 (b) Special meetings of the council may be held on call of the mayor or three members of  
133 the council. Notice of such special meetings shall be served on all other members personally,  
134 or by telephone personally, or shall be left at their residence at least eight hours in advance  
135 of the meeting. Such notice shall not be required if the mayor and all council members are  
136 present when the special meeting is called. Notice of any special meeting may be waived in  
137 writing before or after such meeting, and attendance at the meeting shall also constitute a  
138 waiver of notice of any special meeting. Only the business stated in the call may be  
139 transacted at the special meeting, except by unanimous consent of all members present. With

140 such consent any business which may be transacted in a regular meeting may be conducted  
141 at the special meeting, excluding the final passage of an ordinance previously introduced.

142 **SECTION 2.06.**

143 Compelling attendance.

144 The council may adopt procedures and penalties for compelling the attendance of absent  
145 members.

146 **SECTION 2.07.**

147 Rules of procedure; journal.

148 The council shall adopt its rules of procedure and order of business consistent with the  
149 provisions of this charter and shall provide for keeping a journal of its proceedings, which  
150 shall be a public record.

151 **SECTION 2.08.**

152 Quorum; voting.

153 Three council members shall constitute a quorum and shall be authorized to transact business  
154 of the council. Voting on the adoption of ordinances shall be taken by voice vote, electronic  
155 vote recording, or show of hands, and the ayes and nays shall be recorded in the journal, but  
156 any member of the council shall have the right to request a roll call vote. The affirmative  
157 vote of three council members shall be required for the adoption of any ordinance, resolution,  
158 or motion except as otherwise provided in this charter. In the absence of the mayor, the  
159 presence of the mayor pro tempore shall count for the purposes of both quorum and number  
160 of votes required for action.

161 **SECTION 2.09.**

162 Salaries; reimbursement of expenses.

163 The salaries of the mayor and each council member shall be as prescribed by ordinance,  
164 subject to any limitations on the taking effect of same as prescribed by law. The council may  
165 also provide by ordinance for the reimbursement of expenses incurred in the performance of  
166 their official duties as mayor and council members.

167 **SECTION 2.10.**

168 Removal from office; procedure.

169 (a) The mayor or any council member shall be subject to removal from office for any one  
170 or more of the following causes:

171 (1) Incompetence, misfeasance, or malfeasance in office;

172 (2) Conviction of a crime involving moral turpitude;

173 (3) Failure at any time to possess any of the qualifications of office as provided by this  
174 charter or by law;

175 (4) Willful violation of any express prohibition of this charter;

176 (5) Abandonment of office or neglect to perform therein; or

177 (6) Failure for any other cause to perform the duties of office as required by this charter  
178 or by law.

179 (b) Removal of an elected officer from office may be accomplished by one of the following  
180 methods:

181 (1) By action of a two-thirds' vote of the entire membership of the council. In the event  
182 an elected officer is sought to be removed by the action of the council, such officer shall  
183 be entitled to a written notice specifying the ground for removal and to a public hearing  
184 which shall be held no less than ten days after the service of such written notice. Any  
185 elected officer sought to be removed from office as herein provided shall have the right  
186 of appeal from the decision of the council to the Superior Court of Troup County. Such  
187 appeal shall be governed by the same rules as govern appeals to the superior court from  
188 the probate court; or

189 (2) By information filed in the Superior Court of Troup County as provided by law.

190 **SECTION 2.11.**

191 Vacancy; forfeiture of office; filling of vacancies.

192 (a) The office of mayor or council member shall become vacant upon the incumbent's death,  
193 resignation, forfeiture of office or removal from office in any manner authorized by this  
194 charter or the laws of this state.

195 (b) The mayor or any council member shall forfeit his or her office if he or she:

196 (1) Lacks at any time during his or her term of office any qualifications of the office as  
197 prescribed by this charter or the laws of this state; or

198 (2) Is convicted of a felony involving moral turpitude.

199 (c) A vacancy in the office of mayor or council member shall be filled for the remainder of  
200 the unexpired term, if any, as follows:

201 (1) If the vacancy occurs more than 27 months prior to the expiration of the term of  
 202 office of the seat vacated, then such vacancy shall be filled for the unexpired term of  
 203 office at a special election to be held on the same date as the next general municipal  
 204 election; and in this case the remaining members of the council shall, by majority vote  
 205 of those present and voting, select a qualified person to fill the vacancy until the person  
 206 elected at such special election takes office; or

207 (2) If the vacancy does not occur more than 27 months prior to the date of the general  
 208 municipal election at which a successor to the office will be elected to a new full term of  
 209 office, then the remaining members of the city council shall, by majority vote of those  
 210 present and voting, select a qualified person to serve for the remainder of the unexpired  
 211 term.

212 **SECTION 2.12.**

213 Duties generally.

214 The members of the city council shall meet at each of the regular meetings and at all special  
 215 or called meetings, unless providentially prevented from attending, and shall devote as much  
 216 time as may be necessary to the legislative matters of the city and attend to legislative affairs  
 217 of the city, and shall perform such other duties as are now required of them by law or  
 218 ordinances or by this charter.

219 **SECTION 2.13.**

220 Inquiries and investigations.

221 The council may make inquiries and investigations into the affairs of the city and the conduct  
 222 of any department, office, or agency thereof and for this purpose may subpoena witnesses,  
 223 administer oaths, take testimony, and require the production of evidence. Enforcement of  
 224 issues regarding subpoenas or production of evidence shall be by the judge of the State Court  
 225 of Troup County, Georgia, upon petition by the city or any other party in interest.

226 **SECTION 2.14.**

227 Powers and duties of the mayor.

228 The mayor shall be the chief executive officer of the city government, presiding officer of  
 229 the city council, and responsible for the enforcement of laws, rules, regulations, ordinances,  
 230 and franchises in the city. The mayor shall have such powers and duties as may be provided  
 231 by ordinance not inconsistent with this charter. The mayor shall vote on matters before the



232 city council only in case of a tie, and shall have the right to veto any ordinance or resolution  
 233 if, in the mayor's judgment, such is not in the best interest of the city. The mayor shall have  
 234 the authority to appoint committees of the council, to investigate the various departments,  
 235 and to supervise the policy formulation of the various departments, if he or she so elects.

236 **SECTION 2.15.**

237 City legislation; general authority.

238 In addition to all other powers conferred upon it by law, the council shall have the authority  
 239 to adopt and provide for the execution of such ordinances, resolutions, rules, and regulations,  
 240 not inconsistent with this charter, or the Constitution and the laws of this state, which it shall  
 241 deem necessary, expedient, or helpful for the peace, good order, protection of life and  
 242 property, health, welfare, sanitation, comfort, convenience, prosperity, or well-being of the  
 243 inhabitants of the city, and may enforce the same by imposing penalties for violation thereof.

244 **SECTION 2.16.**

245 Same; enactment and enrollment of measures.

246 (a) Except as herein provided, every official action of the council which is to become law  
 247 shall be introduced in writing and in the form required for final adoption and approved in  
 248 form by the city attorney. No ordinance shall contain a subject which is not expressed in its  
 249 title, except that an ordinance adopting a code of ordinances or a published code may do so  
 250 by reference, and this requirement shall be deemed to have been met without enumerating  
 251 the various matters contained in such codes. The enacting clause shall be "The Council of  
 252 the City of Hogansville hereby ordains . . .".

253 (b) An ordinance may be introduced by any member of the council and read at a regular or  
 254 special meeting of the council. Ordinances shall be considered and adopted or rejected by  
 255 the council in accordance with the rules which it shall establish; provided, however, that  
 256 ordinances, except emergency ordinances, shall not be adopted until the next regular meeting  
 257 of the council following the meeting of their initial introduction. No ordinance shall be  
 258 considered for final adoption unless two weeks have elapsed since the introduction of the  
 259 ordinance. Upon the introduction of any ordinance, the city clerk shall distribute a copy to  
 260 the mayor, and to each council member, and shall file a reasonable number of copies in the  
 261 office of the city clerk and at such other public places as the council may designate.

262 (c) To meet a public emergency affecting life, health, property, or public peace, the council  
 263 may adopt one or more emergency ordinances, but such ordinances may not levy taxes,  
 264 grant, renew or extend a franchise, regulate the rate charged by any public utility for its

265 services, or authorize the borrowing of money except as provided by law. An emergency  
266 ordinance shall be introduced in the form and manner prescribed for ordinances generally  
267 except that it shall be plainly designated as an emergency ordinance and shall contain, after  
268 the enacting clause, a declaration stating that an emergency exists and describing it in clear  
269 and specific terms. An emergency ordinance may be adopted with or without amendment  
270 or rejected at the meeting at which it is introduced, but the affirmative vote of at least three  
271 council members shall be required for adoption. It shall become effective upon adoption or  
272 at such later time as it may specify. Every emergency ordinance shall automatically stand  
273 repealed 60 days following the date upon which it was adopted, but this shall not prevent  
274 reenactment of the ordinance in the manner specified in this section for adoption of  
275 emergency ordinances.

276 (d) Signing, authenticating, recording, codification, printing.

277 (1) The city clerk shall authenticate by signature and record in a properly indexed book  
278 kept for the purpose of all ordinances adopted by council. Every ordinance shall be  
279 signed by the mayor as a matter of course after adoption.

280 (2) The council shall provide for the preparation of a general codification of all of the  
281 ordinances of the city having the force and effect of law. The general codification shall  
282 be adopted by the council and shall be published promptly, together with this charter and  
283 any amendment thereto, and such codes of technical regulations and other rules and  
284 regulations as the city council may specify. This compilation shall be known as and cited  
285 officially as "The Code of the City of Hogansville, Georgia." Copies of the Code shall  
286 be furnished or access thereto provided to all officers, departments, and agencies of the  
287 city and made available for purchase by the public.

288 (e) The mayor, within seven calendar days of receipt of an ordinance, shall return it to the  
289 city clerk with or without the mayor's approval, or with the mayor's disapproval. If the  
290 ordinance has been approved by the mayor, it shall become law upon its return to the city  
291 clerk; if the ordinance is neither approved nor disapproved, it shall become law at 12:00  
292 Noon on the seventh calendar day after its adoption; if the ordinance is disapproved, the  
293 mayor shall submit to the council through the city clerk a written statement of the reasons for  
294 the mayor's veto. The city clerk shall record upon the ordinance the date and time of its  
295 delivery to and receipt from the mayor. Ordinances vetoed by the mayor shall be presented  
296 by the city clerk to the council at its next regular meeting and should the council then or at  
297 its next regular meeting adopt the ordinance by an affirmative vote of four members, or three  
298 members if any member of the council abstains, it shall become law.

299 **SECTION 2.17.**

300 Boards, etc.

301 The city council shall have the power and authority to establish, appoint, and maintain such  
 302 boards, commissions, and committees as in its judgment the needs of the city require. For  
 303 all instances in which the mayor alone, or the mayor and council, have the authority to  
 304 appoint a member to a board, agency, authority, or other instrumentality or committee, the  
 305 mayor alone, or mayor and council, may remove any such member from said office at their  
 306 pleasure, with or without cause.

307 **ARTICLE III**308 **CORPORATE POWERS**309 **SECTION 3.01.**

310 Powers and construction.

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

315 (b) The powers of this city shall be construed liberally in favor of the city. The specific  
 316 mention or failure to mention particular powers shall not be construed as limiting in any way  
 317 the powers of this city.

318 **SECTION 3.02.**

319 Examples of powers.

320 (a) To regulate and license or to prohibit the keeping or running at-large of animals and  
 321 fowl, and to provide for the impoundment of same if in violation of any ordinance or lawful  
 322 order; to provide for the disposition by sale, gift, or humane destruction of animals and fowl  
 323 when not redeemed as provided by ordinance; and to provide punishment for violation of  
 324 ordinances enacted hereunder;

325 (b) To make appropriations for the support of the government of the city; to authorize the  
 326 expenditure of money for any purposes authorized by this charter and for any purpose for  
 327 which a municipality is authorized by the laws of the State of Georgia; and to provide for the  
 328 payment of expenses of the city;

- 329 (c) To regulate and to license the erection and construction of buildings and all other  
330 structures; to adopt building, housing, plumbing, fire safety, electrical, gas, and heating and  
331 air conditioning codes; and to regulate all housing, and building trades;
- 332 (d) To levy and to provide for the collection of regulatory fees and taxes on privileges,  
333 occupations, trades, and professions as authorized by Title 48 of the Official Code of Georgia  
334 Annotated, or other such applicable laws as are or may hereafter be enacted; to permit and  
335 regulate the same; to provide for the manner and method of payment of such regulatory fees  
336 and taxes; and to revoke such permits after due process for failure to pay any city taxes or  
337 fees;
- 338 (e) To condemn property, inside or outside the corporate limits of the city, for present or  
339 future use and for any corporate purpose deemed necessary by the governing authority,  
340 utilizing procedures enumerated in Title 22 of the Official Code of Georgia Annotated,  
341 Title 32 of the Official Code of Georgia Annotated, or such other applicable laws as are or  
342 may hereafter be enacted;
- 343 (f) To enter into contracts and agreements with other governmental entities and with private  
344 persons, firms, and corporations;
- 345 (g) To establish procedures for determining and proclaiming that an emergency situation  
346 exists within or without the city, and to make and carry out all reasonable provisions deemed  
347 necessary to deal with or meet such an emergency for the protection, safety, health, or  
348 well-being of the citizens of the city;
- 349 (h) To protect and preserve the natural resources, environment, and vital areas of the city,  
350 the region, and this state through the preservation and improvement of air quality, the  
351 restoration and maintenance of water resources, the control of erosion and sedimentation, the  
352 management of stormwater and establishment of a stormwater utility, the management of  
353 solid and hazardous waste, and other necessary actions for the protection of the environment;
- 354 (i) To fix and establish fire limits and from time to time to extend, enlarge, or restrict the  
355 same; to prescribe fire safety regulations not inconsistent with general law, relating to both  
356 fire prevention and detection and to firefighting; and to prescribe penalties and punishment  
357 for violations thereof;
- 358 (j) To levy, fix, assess, and collect a garbage, refuse and trash collection and disposal, and  
359 other sanitary service charge, tax, or fee for such services as may be necessary in the  
360 operation of the city from all individuals, firms, and corporations residing in or doing  
361 business therein benefiting from such services; to enforce the payment of such charges, taxes,  
362 or fees; and to provide for the manner and method of collecting such service charges;
- 363 (k) To define, regulate, and prohibit any act, practice, conduct, or use of property which is  
364 detrimental to health, sanitation, cleanliness, welfare, and safety of the inhabitants of the city,  
365 and to provide for the enforcement of such standards;

- 366 (l) To accept or refuse gifts, donations, bequests, or grants from any source for any purpose  
367 related to powers and duties of the city and the general welfare of its citizens, on such terms  
368 and conditions as the donor or grantor may impose;
- 369 (m) To prescribe standards of health and sanitation and to provide for the enforcement of  
370 such standards;
- 371 (n) To provide that persons given jail sentences in the city's court may work out such  
372 sentences in any public works or on the streets, roads, drains, and other public property in  
373 the city, to provide for commitment of such persons to any jail, to provide for the use of  
374 pretrial diversion and any alternative sentencing allowed by law, or to provide for  
375 commitment of such persons to any county work camp or county jail by agreement with the  
376 appropriate county officials;
- 377 (o) To regulate the operation of motor vehicles and exercise control over all traffic,  
378 including parking upon or across the streets, roads, alleys, and walkways of the city;
- 379 (p) To create, alter, or abolish departments, boards, offices, commissions, and agencies of  
380 the city, and to confer upon such agencies the necessary and appropriate authority for  
381 carrying out all the powers conferred upon or delegated to the same;
- 382 (q) To appropriate and borrow money for the payment of debts of the city and to issue bonds  
383 for the purpose of raising revenue to carry out any project, program, or venture authorized  
384 by this charter or the laws of the State of Georgia;
- 385 (r) To acquire, dispose of, lease, and hold in trust or otherwise, any real, personal, or mixed  
386 property, in fee simple or lesser interest, inside or outside the property limits of the city;
- 387 (s) To provide for the preservation and protection of property and equipment of the city, and  
388 the administration and use of same by the public; and to prescribe penalties and punishment  
389 for violations thereof;
- 390 (t) To acquire, lease, construct, operate, maintain, sell, and dispose of public utilities,  
391 including but not limited to a system of waterworks, sewers and drains, sewage disposal,  
392 stormwater management, gas works, electric light plants, cable television and other  
393 telecommunications, transportation facilities, public airports, and any other public utility; and  
394 to fix the taxes, charges, rates, fares, fees, assessments, regulations, and penalties, and to  
395 provide for the withdrawal of service for refusal or failure to pay the same;
- 396 (u) To define a nuisance and provide for its abatement whether on public or private property;
- 397 (v) To provide penalties for violation of any ordinances adopted pursuant to the authority  
398 of this charter and the laws of the State of Georgia;
- 399 (w) To provide comprehensive city planning for development by zoning; and to provide  
400 subdivision regulation and the like as the city council deems necessary and reasonable to  
401 insure a safe, healthy, and aesthetically pleasing community;

- 402 (x) To exercise the power of arrest through duly appointed police officers, and to establish,  
403 operate, or contract for a police and a firefighting agency;
- 404 (y) To provide for the destruction and removal of any building or other structure which is  
405 or may become dangerous or detrimental to the public;
- 406 (z) To provide for the acquisition, construction, building, operation, and maintenance of  
407 public ways, parks and playgrounds, recreational facilities, cemeteries, markets and market  
408 houses, public buildings, libraries, public housing, airports, hospitals, terminals, docks,  
409 parking facilities, or charitable, cultural, educational, recreational, conservation, sport,  
410 curative, corrective, detentional, penal, and medical institutions, agencies, and facilities; and  
411 to provide any other public improvements, inside or outside the corporate limits of the city;  
412 to regulate the use of public improvements; and for such purposes, property may be acquired  
413 by condemnation under Title 22 of the Official Code of Georgia Annotated, Title 32 of the  
414 Official Code of Georgia Annotated, or such other applicable laws as are or may hereafter  
415 be enacted;
- 416 (aa) To provide for the prevention and punishment of loitering, disorderly conduct,  
417 drunkenness, riots, and public disturbances;
- 418 (bb) To organize and operate such public transportation systems as are deemed beneficial;
- 419 (cc) To grant franchises or make contracts for, or impose taxes on public utilities and public  
420 service companies; and to prescribe the rates, fares, regulations, and standards and conditions  
421 of service applicable to the service to be provided by the franchise grantee or contractor,  
422 insofar as not in conflict with valid regulations of the Public Service Commission;
- 423 (dd) To prohibit or regulate and control the erection, removal, and maintenance of signs,  
424 billboards, trees, shrubs, fences, buildings, and any and all other structures or obstructions  
425 upon or adjacent to the rights-of-way of streets and roads or within view thereof, within or  
426 abutting the corporate limits of the city; and to prescribe penalties and punishment for  
427 violation of such ordinances;
- 428 (ee) To provide and maintain a retirement plan and other employee benefit plans and  
429 programs for officers and employees of the city;
- 430 (ff) To lay out, open, extend, widen, narrow, establish or change the grade of, abandon or  
431 close, construct, pave, curb, gutter, adorn with shade trees, or otherwise improve, maintain,  
432 repair, clean, prevent erosion of, and light the roads, alleys, and walkways within the  
433 corporate limits of the city; and to grant franchises and rights-of-way throughout the streets  
434 and roads, and over the bridges and viaducts for the use of public utilities; and to require real  
435 estate owners to repair and maintain in a safe condition the sidewalks adjoining their lots or  
436 lands, and to impose penalties for failure to do so;
- 437 (gg) To levy a fee, charge, or sewer tax as necessary to assure the acquiring, constructing,  
438 equipping, operating, maintaining, and extending of a sewage disposal plant and sewerage

439 system, and to levy on those to whom sewers and sewerage systems are made available a  
440 sewer service fee, charge or sewer tax for the availability or use of the sewers; to provide for  
441 the manner and method of collecting such service charges and for enforcing payment of the  
442 same; and to charge, impose, and collect a sewer connection fee or fees to those connected  
443 with the system;

444 (hh) To provide for the collection and disposal of garbage, rubbish, and refuse, and to  
445 regulate the collection and disposal of garbage, rubbish, and refuse by others; and to provide  
446 for the separate collection of glass, tin, aluminum, cardboard, paper, and other recyclable  
447 materials, and to provide for the sale of such items;

448 (ii) To regulate or prohibit the manufacture and sale of intoxicating liquors; to regulate the  
449 transportation, storage, and use of combustible, explosive, and inflammable materials, the  
450 use of lighting and heating equipment, and any other business or situation which may be  
451 dangerous to persons or property; to regulate and control the conduct of junk dealers,  
452 peddlers and itinerant traders, theatrical performances, exhibitions, and shows of any kind,  
453 by taxation or otherwise; to license and tax professional fortunetelling, palmistry, and  
454 massage parlors; and to restrict adult bookstores to certain areas;

455 (jj) To levy and provide for the collection of special assessments to cover the costs for any  
456 public improvements;

457 (kk) To levy and provide for the assessment, valuation, revaluation, and collection of taxes  
458 on all property subject to taxation;

459 (ll) To levy and collect such other taxes as may be allowed now or in the future by law;

460 (mm) To organize and operate an urban redevelopment program;

461 (nn) To exercise and enjoy all other powers, functions, rights, privileges, and immunities  
462 necessary or desirable to promote or protect the safety, health, peace, security, good order,  
463 comfort, convenience, or general welfare of the city and its inhabitants; and to exercise all  
464 implied powers necessary or desirable to carry into execution all powers granted in this  
465 charter as fully and completely as if such powers were fully stated herein; and to exercise all  
466 powers now or in the future authorized to be exercised by other municipal governments  
467 under other laws of the State of Georgia; and no listing of particular powers in this charter  
468 shall be held to be exclusive of others, nor restrictive of general words and phrases granting  
469 powers, but shall be held to be in addition to such powers unless expressly prohibited to  
470 municipalities under the Constitution or applicable laws of the State of Georgia.

471 **SECTION 3.03.**

472 Construction.

473 The powers of the city shall be construed liberally and in favor of the city. The specific  
 474 mention or failure to mention particular powers in this charter shall not be construed as  
 475 limiting in any way the general power of the city as stated in this charter. It is the intention  
 476 hereof to grant the city full power and right to exercise all governmental authority necessary  
 477 for the effective operation and conduct of the city and all of its affairs.

478 **SECTION 3.04.**

479 Exercise of powers.

480 All powers, functions, rights, privileges, and immunities of the city, its officers, agencies, or  
 481 employees shall be carried into execution as provided by this charter. If this charter makes  
 482 no provisions therefor, such powers, functions, rights, privileges, and immunities shall be  
 483 carried into execution as provided by ordinance of the governing authority and as provided  
 484 by pertinent laws of this state.

485 **ARTICLE IV**

486 **ELECTIONS**

487 **SECTION 4.01.**

488 Election of mayor and city council.

489 (a) There shall be a municipal general election biennially in the odd years on the Tuesday  
 490 next following the first Monday in November.

491 (b) The mayor and those members of the city council who are serving as such on the  
 492 effective date of this charter and any person selected to fill a vacancy in any such offices  
 493 shall continue to serve as provided for in this section.

494 (c) There shall be elected the mayor and the council members for Post 1 and Post 2 at the  
 495 2017 election, with the remaining city council seats to be filled at the following election so  
 496 that a continuing body is created. Terms shall be for four years.

497 **SECTION 4.02.**

498 Nonpartisan elections.

499 Political parties shall not conduct primaries for city offices and all names of candidates for  
 500 city offices shall be listed without party designations.



501 **SECTION 4.03.**

502 Election by plurality.

503 The person receiving a plurality of the votes cast for any city office shall be elected.

504 **SECTION 4.04.**

505 Conduct of elections generally.

506 City elections shall be conducted as provided for in Georgia law.

507 **ARTICLE V**

508 **ADMINISTRATION**

509 **SECTION 5.01.**

510 Continuation of existing organization.

511 The administrative service of the city shall continue as presently organized, except as  
512 otherwise provided in this charter, and except as otherwise provided hereafter by ordinance.

513 **SECTION 5.02.**

514 Establishing administrative and service departments.

515 (a) The council by ordinance may establish, abolish, merge, or consolidate offices, positions  
516 of employment, departments, and agencies of the city, as it shall deem necessary for the  
517 proper administration of the affairs and government of the city. The council shall prescribe  
518 the functions and duties of existing departments, offices, and agencies or of any departments,  
519 offices, and agencies herein or hereafter created or established, may provide that the same  
520 person shall fill any number of offices and positions of employment, and may transfer or  
521 change the function or duties of offices, positions of employment, departments, and agencies  
522 of the city.

523 (b) The operations and responsibilities of each department now or hereafter established in  
524 the city shall be distributed among such divisions or bureaus as may be provided by  
525 ordinance of the council. Each department shall consist of such officer, employees, and  
526 positions as may be provided by this charter or by ordinance, and shall be subject to the  
527 general supervision and guidance of the city manager and council.

528 **SECTION 5.03.**

529 City clerk.

530 The city council shall appoint a city clerk who shall serve at the pleasure of the council and  
531 be under the direct supervision and control of the city manager who shall direct and supervise  
532 the day to day activities of the city clerk. The city clerk shall be responsible for keeping and  
533 preserving the city seal and all records of the council; attending meetings of the council and  
534 keeping a journal of the proceedings at such meetings, including the names of members  
535 present and absent, the vote of each member on each question, each motion considered, and  
536 the text of each resolution or ordinance considered; preparing and certifying copies of official  
537 records in his or her office, for which fees may be prescribed by ordinance; and performing  
538 such other duties as may be required by the council or the city manager.

539 **SECTION 5.04.**

540 City attorney.

541 The city council shall appoint a city attorney and assistant city attorneys if necessary, who  
542 shall serve at the pleasure of the council. The city attorney may be responsible for  
543 representing and defending the city in all litigation in which the city is a party; may at the  
544 discretion of the council be the prosecuting officer in the municipal court; shall attend the  
545 meetings of the council as directed; shall advise the council, city manager, other officers and  
546 employees of the city, concerning legal aspects of the city's affairs; and shall perform such  
547 other duties as provided by the council.

548 **SECTION 5.05.**

549 City manager; creation of office; appointment; removal.

550 (a) The office of city manager is hereby created.

551 (b) The city manager shall be appointed by the city council for an indefinite term or, by a  
552 majority vote, may be given a written agreement. He or she shall be chosen solely on the  
553 basis of his or her executive and administrative qualifications with special reference to his  
554 or her actual experience in or knowledge of accepted practice in respect to the duties of his  
555 or her office as set forth in this charter.

556 (c) The city council may remove the city manager at any time by a majority vote adopting  
557 a resolution to that effect. The city manager may, within ten days after notice of adoption  
558 of such resolution, reply in writing and may request a public hearing, which shall be held not  
559 earlier than 20 nor later than 30 days after the filing of such request. The action of the

560 council in removing the city manager, however, shall be final. Upon the city manager's  
 561 removal as provided for in this section, the city manager shall be paid forthwith any unpaid  
 562 balance of his or her salary for the calendar month following the month in which he or she  
 563 is removed and the salary for the next calendar month following.

564 **SECTION 5.06.**

565 City manager; powers and duties.

566 The city manager shall be the chief administrative officer of the city. He or she may head  
 567 one or more departments and shall be responsible to the city council for the proper  
 568 administration of all affairs of the city. To that end, he or she shall have power and shall be  
 569 required to:

570 (1) Appoint and, when necessary for the good of the service, suspend or remove all  
 571 officers and employees of the city except as otherwise provided by the charter or law, and  
 572 except as he or she may authorize the head of a department or office to appoint, suspend,  
 573 or remove subordinates in such department or office. He or she may suspend the head  
 574 of a department, but all appointments and removals of heads of departments are subject  
 575 to ratification by the city council; if the city council does not object to said appointments  
 576 or removals within three days after with notice to the city clerk and notice to each  
 577 member of council it shall be presumed that the city council does not object to said  
 578 appointment or removal at 12:00 Noon of the third day. He or she shall not have the right  
 579 to appoint, suspend, or remove the city judge, city attorney, or city clerk.

580 (2) Prepare the budget annually and submit it to the city council together with a message  
 581 describing the important features and be responsible for its administration after adoption.

582 (3) Prepare and submit to the council as of the end of the fiscal year a complete report  
 583 on the finances and administrative activities of the city for the preceding year.

584 (4) Keep the council advised of the financial condition and future needs of the city, and  
 585 make such recommendations as he or she may deem desirable.

586 (5) Recommend to the council a standard schedule of pay for each appointive office and  
 587 position in the city service, including minimum, intermediate, and maximum rates.

588 (6) Recommend to the council, from time to time, adoption of such measures as he or she  
 589 may deem necessary or expedient for the health, safety, or welfare of the community or  
 590 for the improvement of administrative services.

591 (7) Consolidate or combine offices, positions, departments, or units under his or her  
 592 jurisdiction, with the approval of the council.

593 (8) Attend all meetings of the council unless excused therefrom and take part in the  
594 discussion of all matters coming before it. He or she shall be entitled to notice of all  
595 regular and special meetings of the council.

596 (9) He or she shall be purchasing agent of the city, by whom all purchases of supplies  
597 shall be made subject to the rules and regulations to be prescribed by the council, and he  
598 or she shall approve all vouchers for the payment of same. In the capacity of purchasing  
599 agent he or she shall also conduct all sales of personal property which the council may  
600 authorize to be sold as having become unnecessary or unfit for the city's use. All  
601 purchases and sales shall conform to such regulations as the council may from time to  
602 time prescribe. Competitive bidding shall be required on all major purchases as defined  
603 by ordinance. He or she may issue checks on the city treasury as authorized in this  
604 charter or by ordinance.

605 (10) In case of accident, disaster, or other circumstance creating a public emergency, the  
606 city manager may award contracts and make purchases for the purpose of meeting said  
607 emergency; but he or she shall file promptly with the council a certificate showing such  
608 emergency and the necessity for such action, together with an itemized account of all  
609 expenditures.

610 (11) All formal contracts to which the city is a party shall be executed in behalf of the  
611 city by the city manager and attested by the city clerk, after an approving resolution of  
612 the council and approval in form by the city attorney.

613 (12) See that all laws and ordinances are duly enforced.

614 (13) Investigate the affairs of the city or any department or division thereof; investigate  
615 all complaints in relation to matters concerning the administration of the government of  
616 the city, and in regard to service maintained by the public utilities in the city, and see that  
617 all franchises, permits, and privileges granted by the city are faithfully observed.

618 (14) Devote his or her entire time to the discharge of his or her official duties.

619 (15) Perform such other duties as may be required by the council, not inconsistent with  
620 this charter, law, or ordinances.

621 **SECTION 5.07.**

622 City manager; compensation.

623 The city manager shall receive such compensation as the city council shall fix from time to  
624 time.

625 **SECTION 5.08.**

626 City manager; vacancy.

627 Any vacancy in the office of city manager shall be filled with all deliberate speed. During  
628 such vacancy, the council may designate an individual to discharge the duties and functions  
629 of the city manager.

630 **SECTION 5.09.**

631 City manager; designating acting city manager.

632 By letter filed with the city clerk, the city manager shall designate, subject to approval of the  
633 council, a qualified city administrative officer to execute the powers and perform the duties  
634 of the city manager during his or her temporary absence or disability.

635 **SECTION 5.10.**

636 Mayor and council members not to interfere with appointments or removals.

637 Except for the purpose of inquiry, the city council members shall deal with the administrative  
638 service solely through the city manager and neither the mayor nor any council member shall  
639 give orders to any subordinates of the city manager, either publicly or privately, except in  
640 emergency situations or in the absence of the city manager or acting city manager.

641 **SECTION 5.11.**

642 Personnel policies.

643 The council shall adopt rules and regulations consistent with this charter concerning:

- 644 (1) The method of employee selection and probationary periods of employment;  
645 (2) The administration of the position classification and pay plan, methods of promotion  
646 and application of service ratings thereto, and transfer of employees within the  
647 classification plan;  
648 (3) Hours of work, vacation, sick leave, and other leaves of absence, overtime pay, and  
649 the order and manner in which layoff shall be effected; and  
650 (4) Such other personnel policies as may be necessary to provide for adequate and  
651 systematic handling of the personnel affairs of the city.

652                                   ARTICLE VI  
653                                   MUNICIPAL COURT  
654                                   **SECTION 6.01.**  
655                                   Creation; name.

656    There shall be a court to be known as the Municipal Court of the City of Hogansville.

657                                   **SECTION 6.02.**  
658                                   Chief judge; associate judge.

659    (a) The municipal court shall be presided over by a chief judge and such part-time, full-time,  
660    or stand-by judges as shall be provided by ordinance.

661    (b) No person shall be qualified or eligible to serve as a judge on the municipal court unless  
662    that person shall have attained the age of 21 years, shall be a member of the State Bar of  
663    Georgia, and shall possess all qualifications required by law. All judges shall be appointed  
664    by the city council and shall serve until a successor is appointed and qualified.

665    (c) Compensation of the judges shall be fixed by resolution of the mayor and council or as  
666    contained within the city budget.

667    (d) Judges serve at-will and may be removed from office at any time by the city council  
668    unless otherwise provided by ordinance.

669    (e) Before assuming office, each judge shall take an oath that the judge will honestly and  
670    faithfully discharge the duties of the office to the best of that person's ability and without  
671    fear, favor, or partiality.

672                                   **SECTION 6.03.**  
673                                   Convening.

674    The municipal court shall be convened at regular intervals as provided by ordinance.

675                                   **SECTION 6.04.**  
676                                   Jurisdiction; powers.

677    (a) The municipal court shall have jurisdiction and authority to try and punish violations of  
678    this charter, all city ordinances, and such other violations as provided by law.

679    (b) The municipal court shall have authority to punish those in its presence for contempt,  
680    provided that such punishment shall not exceed \$200.00 or ten days in jail.

681 (c) The municipal court may fix punishment for offenses within its jurisdiction not  
682 exceeding a fine of \$500.00 or imprisonment for 60 days or both such fine and imprisonment  
683 or may fix punishment by fine, imprisonment, or alternative sentencing as now, or hereafter,  
684 provided by law.

685 (d) The municipal court shall have authority to establish bail and recognizances to ensure  
686 the presence of those charged with violations before said court, and shall have discretionary  
687 authority to accept cash or personal or real property as surety for the appearance of persons  
688 charged with violations. Whenever any person shall give bail for that person's appearance  
689 and shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge  
690 presiding at such time, and an execution issued thereon by serving the defendant and the  
691 defendant's sureties with a rule nisi, at least two days before a hearing on the rule nisi. In the  
692 event that cash or property is accepted in lieu of bond for security for the appearance of a  
693 defendant at trial, and if such defendant fails to appear at the time and place fixed for trial,  
694 the cash so deposited shall be on order of the judge declared forfeited to the city, or the  
695 property so deposited shall have a lien against it for the value forfeited which lien shall be  
696 enforceable in the same manner and to the same extent as a lien for city property taxes.

697 (e) The municipal court shall have the same authority as superior courts to compel the  
698 production of evidence in the possession of any party; to enforce obedience to its orders,  
699 judgments, and sentences; and to administer such oaths as are necessary.

700 (f) The municipal court may compel the presence of all parties necessary to a proper disposal  
701 of each case by the issuance of summonses, subpoenas, and warrants which may be served  
702 as executed by any officer as authorized by this charter or by law.

703 (g) Each judge of the municipal court shall be authorized to issue warrants for the arrest of  
704 persons charged with offenses against any ordinance of the city, and each judge of the  
705 municipal court shall have the same authority as a magistrate of this state to issue warrants  
706 for offenses against state laws committed within the city.

707 **SECTION 6.05.**

708 **Certiorari.**

709 The right of certiorari from the decision and judgment of the municipal court shall exist in  
710 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under  
711 the sanction of a judge of the Superior Court of Troup County under the laws of the State of  
712 Georgia regulating the granting and issuance of writs of certiorari.

713 **SECTION 6.06.**

714 Rules for court.

715 With the approval of the city council, the judge shall have full power and authority to make  
716 reasonable rules and regulations necessary and proper to secure the efficient and successful  
717 administration of the municipal court; provided, however, that the city council may adopt in  
718 part or in toto the rules and regulations applicable to municipal courts. The rules and  
719 regulations made or adopted shall be filed with the city clerk, shall be available for public  
720 inspection, and, upon request, a copy shall be furnished to all defendants in municipal court.

721 **ARTICLE VII**  
722 **FINANCE AND TAXATION**

723 **SECTION 7.01.**

724 Fiscal year.

725 The council shall set the fiscal year by ordinance. Said fiscal year shall constitute the budget  
726 year and the year for financial accounting and reporting of each office, department, or  
727 institution, agency, and activity of the city government, unless otherwise provided by state  
728 or federal law.

729 **SECTION 7.02.**

730 Official bonds.

731 The officers and employees of the city, both elected and appointed, shall execute such  
732 official bonds in such amounts and upon such terms and conditions as the council may from  
733 time to time require.

734 **SECTION 7.03.**

735 Submission of operating budget to city council.

736 On or before a date fixed by the city council, the city manager shall submit to the city council  
737 a proposed operating budget for the ensuing fiscal year. The budget shall be accompanied  
738 by a message from the city manager containing a statement of the general fiscal policies of  
739 the city, the important features of the budget, explanations of major changes recommended  
740 for the next fiscal year, a general summary of the budget, and such other pertinent comments  
741 and information. The operating budget and the capital budget hereinafter provided for, the



742 budget message, and all supporting documents shall be filed in the office of the city clerk and  
743 shall be open to public inspection.

744 **SECTION 7.04.**

745 Action by council on a budget.

746 (a) The city council may amend the operating budget proposed by the city manager, except  
747 that the budget as finally amended and adopted must provide for all expenditures required  
748 by state law or by other provisions of this charter and for all debt service requirements for  
749 the ensuing fiscal year, and the total appropriations from any fund shall not exceed the  
750 estimated fund balance, reserves, and revenues.

751 (b) The city council shall adopt the final operating budget for the ensuing fiscal year not  
752 later than the 30th day of June of each year, or as otherwise required by Georgia law. If the  
753 city council fails to adopt the budget by this date, the amounts appropriated for operation for  
754 the current fiscal year shall be deemed adopted for the ensuing fiscal year on a  
755 month-to-month basis, with all items prorated accordingly until such time as the city council  
756 adopts a budget for the ensuing fiscal year. Adoption of the budget shall take the form of an  
757 appropriations ordinance or resolution setting out the estimated revenues in detail by sources  
758 and making appropriations according to fund and by organizational unit, purpose, or activity.

759 (c) The amount set out in the adopted operating budget, as may be amended from time to  
760 time, for each organizational unit shall constitute the annual appropriation for such, and no  
761 expenditure shall be made or encumbrance created in excess of the otherwise unencumbered  
762 balance of the appropriations or allotment thereof, to which it is chargeable.

763 **SECTION 7.05.**

764 City depositories.

765 The city council, in its discretion, may, from time to time, name and appoint as city  
766 depositories of city funds any bank or trust company which has its deposits insured by the  
767 Federal Deposit Insurance Corporation. At such time as an act becomes effective providing  
768 that banks and savings and loan associations shall be taxed in the same manner as other  
769 corporations are taxed, the city council may also name and appoint as city depositories of city  
770 funds any building and loan association or federal savings and loan association which has its  
771 deposits insured by the Federal Savings and Loan Insurance Corporation.

772 **SECTION 7.06.**

773 Contracting procedures.

774 All formal contracts shall be made or authorized by the council, and no contracts shall bind  
 775 the city unless reduced to writing and approved by the council. All contracts, and all  
 776 ordinances or resolutions making contracts or authorizing the same, shall be drawn by the  
 777 city attorney or shall be submitted to him or her before authorization by council.

778 **SECTION 7.07.**

779 Ad valorem taxes; authority to levy.

780 The council shall be authorized to levy an ad valorem tax not to exceed 15 mills on all real  
 781 and personal property within the corporate limits of the city for the purpose of raising  
 782 revenue to pay the cost of ordinary current expenses and for any other purpose now or  
 783 hereafter authorized by the Constitution and laws of this state, but not including principal and  
 784 interest on general obligation bonds.

785 **SECTION 7.08.**

786 Same; assessment.

787 All property subject to taxation for state or county purposes, assessed as of January first in  
 788 each year, shall be subject to the property tax levied by the city. The council may elect to  
 789 use the county assessment for the year in which the city taxes are to be levied and shall  
 790 request the county to furnish appropriate information for such purpose.

791 **SECTION 7.09.**

792 Tax due dates and bills.

793 The council shall provide when the taxes of the city shall be paid, and when, how, and upon  
 794 what terms such taxes shall be due and payable, as well as authorizing the voluntary payment  
 795 of taxes prior to the time when due. The council may contract with the Troup County Tax  
 796 Commissioner to undertake such reasonable duties as are required in the collection of taxes.

797

**SECTION 7.10.**

798

Collection of delinquent taxes and fees.

799 The city council, by ordinance, may provide generally for the collection of delinquent taxes,  
 800 fees, or other revenue due the city under Sections 7.8 through 7.10 by whatever reasonable  
 801 means as are not precluded by law. This shall include providing for the dates when the taxes  
 802 or fees are due; late penalties or interest; issuance and execution of fi.fa.'s; creation and  
 803 priority of liens; making delinquent taxes and fees personal debts of the persons required to  
 804 pay the taxes or fees imposed; revoking city permits for failure to pay any city taxes or fees;  
 805 and providing for the assignment or transfer of tax executions.

806

**SECTION 7.11.**

807

Payment of taxes.

808 The council shall have the power and authority to provide by ordinance when the taxes of the  
 809 city shall fall due, and in what length of time said taxes may be paid, when tax executions  
 810 shall be issued against all persons who have not paid their taxes by the time fixed by  
 811 ordinance, and to fix a penalty for the nonpayment of taxes when due, and to charge lawful  
 812 interest from due date until said taxes are paid. The council shall have authority to provide  
 813 by ordinance for the payment of taxes due to the city and to provide when and how and upon  
 814 what terms such taxes shall be due and payable; and to authorize the payment of taxes prior  
 815 to the time when due and allow discounts upon anticipated payments, and in general to fix  
 816 the terms and methods of payment, and collection of city taxes, in such manner as the council  
 817 may determine.

818

819

**SECTION 7.12.**

820

Cost of issuing summonses; executions; processes; subpoenas.

821 The cost of issuing, serving, or executing all summonses, executions, processes, writs, or  
 822 subpoenas shall be the same as now allowed sheriffs for like service and where they are  
 823 issued shall be paid into the city treasury.

824

**SECTION 7.13.**

825

General obligation bonds.

826 The council shall have the power to issue bonds for purpose of raising revenue to carry out  
 827 any project, program, or venture authorized under this charter or the general laws of this

828 state. Such bonding authority shall be exercised in accordance with the laws governing bond  
829 issuances by municipalities in effect at the time said issue is undertaken.

830 **SECTION 7.14.**

831 Revenue bonds.

832 Revenue bonds may be issued by the council as provided by an Act of the General Assembly  
833 of Georgia, approved March 31, 1937, known as the Revenue Bond Law (now O.C.G.A.  
834 Section 36-82-60 et seq.), as now or hereinafter amended, or by any other law of this state  
835 as now or hereafter provided.

836 **SECTION 7.15.**

837 Failure of bonds to carry; new election.

838 If the election provided for shall be against the issue of bonds, the council may at any time  
839 after expiration of six months from the date of the first election order another election on the  
840 issuance of said bonds.

841 **SECTION 7.16.**

842 Short-term loans.

843 The city may obtain short-term loans and must repay such loans not later than December 31  
844 of each year, unless otherwise provided by law.

845 **SECTION 7.17.**

846 Lease-purchase contracts.

847 The city may enter into multiyear lease, purchase, or lease-purchase contracts for the  
848 acquisition of goods, materials, real and personal property, services, and supplies provided  
849 the contract terminates without further obligation on the part of the municipality at the close  
850 of the calendar year in which it was executed and at the close of each succeeding calendar  
851 year for which it may be renewed. Contracts must be executed in accordance with the  
852 requirements of O.C.G.A. Section 36-60-13, or other such applicable laws as are or may  
853 hereafter be enacted.

854

ARTICLE VIII

855

PUBLIC IMPROVEMENTS; UTILITIES; SERVICES

856

**SECTION 8.01.**

857

Paving; railroad crossings; performing and assessing cost.

858

The council shall have power and authority to pave or provide for the paving of railroad

859

crossings within the city and other portions of any street therein, and to assess the cost

860

therefor, or any part thereof, against the owner of the roadbed and the adjoining property, and

861

issue executions to enforce the payment of the same.

862

**SECTION 8.02.**

863

Extension of utilities beyond city.

864

For the purpose of the preservation of the health and comfort of the people, and of the

865

inhabitants of the city, the council is empowered to extend the city system of sewerage,

866

lights, water, and gas, beyond the limits of the city, and prescribe provisions as to the

867

construction of and maintenance of such systems, and shall have the right to obtain by

868

purchase, gift, or condemnation such rights-of-way and easements as may be necessary for

869

that purpose as is provided in this charter. All rights, powers, and authority previously

870

granted to the city with reference to the system of water works, sewerage, electric lights,

871

power, and gas shall be and remain in force unless in conflict with the terms of this charter.

872

ARTICLE IX

873

LEGAL PROVISIONS

874

**SECTION 9.01.**

875

Specific repealer.

876

An Act creating a new charter for the City of Hogansville, in Troup County, Georgia,

877

heretofore made a body politic and corporate, approved February 13, 1976 (Ga. L. 1976, p.

878

2588), as amended, is hereby repealed.

879

**SECTION 9.02.**

880

Effective date.

881

This Act shall become effective on July 1, 2016.

882

**SECTION 9.03.**

883

General repealer.

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